

**Halley, Shannon**

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**From:** Robin Schaeffer <[REDACTED]>  
**Sent:** Saturday, February 13, 2021 9:28 PM  
**To:** Tovo, Kathie; [REDACTED]  
**Subject:** Density Proposal on Rainey Street

\*\*\* External Email - Exercise Caution \*\*\*

As Milago Residents living on Rainey Street, we adamantly oppose any increase in density development on Rainey Street and the neighboring streets. Any increase will impact the quality and safety of our lives. Robin and Glen Schaeffer  
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**Halley, Shannon**

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**From:** Alan Holt <[REDACTED]>  
**Sent:** Saturday, February 13, 2021 10:32 PM  
**To:** Tovo, Kathie  
**Subject:** Rainey St density

\*\*\* External Email - Exercise Caution \*\*\*

I've lived at 54 Rainey St for 12 years. Most of my life (I'm 71) has been centered in Austin TX. I was born here; my daughter was born here.

Please help us maintain a livable neighborhood near downtown by rejecting the developers outrageous density requests. The transportation infrastructure does not support these projects. The hike and bike experiences of many Austinites would be at risk. Noise pollution, air, and light pollution would be increased.

We don't need "more;" we need better in Austin.

Please help us!

Alan Holt

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**Halley, Shannon**

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**From:** Reghan Diaz <[REDACTED]>  
**Sent:** Sunday, February 14, 2021 2:00 PM  
**To:** Tovo, Kathie  
**Subject:** Please limit building density variances!

\*\*\* External Email - Exercise Caution \*\*\*

The Austin Planning Commission's approval of high floor-to-area ratio development shows a negligible lack of foresight and consideration. Mismanagement of building density threatens to destroy the character, functionality, and value of Austin's Rainey Street Historic District.

We implore you to make smart, thoughtful decisions for the future of Austin. Mistakes like these that cannot be undone and threaten to permanently damage Austin and our Rainey Street neighborhood.

Thank you.

Reghan Diaz  
70 Rainey Street #1208  
Austin, TX 78701

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**Halley, Shannon**

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**From:** Matteo Caporrella <caporrella. [REDACTED]>  
**Sent:** Sunday, February 14, 2021 2:23 PM  
**To:** Tovo, Kathie  
**Subject:** Please vote FOR high-FAR building for the majority of Rainey Residents

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

\*\*\* External Email - Exercise Caution \*\*\*

Kathie,

Hope you're staying warm this weekend! I'm a resident and owner on Rainey (70 Rainey 1303) and some folks have recently reached out trying to think short term like them on the new high FAR buildings. They also claim that you are currently against them too, is that right, or hopefully they aren't being truthful?

I'm a strong supporter of high density projects as they make it for a more sustainable living, they will increase property value in the long term, and will make the area much more vibrant and attractive. (And make the planned train stop more useful!).

Can you please make sure you represent us majority and long term residents in your vote at the council and vote to approve these projects? We love your continued support! Thank you.

Best,  
**Matteo Caporrella**  
(919) 638-8820

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**Halley, Shannon**

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**From:** N. Lynn Weiner <[REDACTED]>  
**Sent:** Sunday, February 14, 2021 5:19 PM  
**To:** Tovo, Kathie  
**Subject:** FAR Controls for proposed Rainey District Development  
**Attachments:** Mayor Adler #1.odt

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

\*\*\* External Email - Exercise Caution \*\*\*

Dear Ms. Tovo,

It is my understanding that the Planning commission has sent 3 specific high rise projects with significantly excessive FAR variance requests for Council consideration and approval at a Feb. 18th meeting.

Attached, a letter I sent to the Mayor and copied to you, council members, and other chiefs of staff. I would ask for your support in communicating to your colleagues the importance of reconsidering the urgency of approving any proposed FAR variances for my Rainey District neighborhood and others in the hands of the Planning Commission for other parts of Austin.

Thank you for your ongoing support of our neighborhood. Your efforts are truly appreciated.

Sincerely,

Naomi Lynn Weiner  
(805) 795-0804

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Dear Mr. Mayor Adler,

I am a fairly new resident to Austin and specifically to the Rainey District. I own a condo at 70 Rainey. I have watched construction from this address since August 2019. At least 9 buildings have sprouted since I arrived.

I have made a concerted effort to learn about and be involved in my new neighborhood and Austin in general.

I am very concerned about the lack of wide view planning for development in the Rainey District. The variances for floor area ratios in current construction and proposed construction are beyond troubling.

I have yet to see a master plan for this neighborhood!

The random and unsupported reasons for FAR variances for already build high rises is not correctable, but a harder and smarter look at proposed, and in the pipeline high rises is necessary.

The proposed 21:1 to 32:1 FARs for the projects of East Tower, River Street Residences, and 90-92 Rainey are frightening and dangerous.

1. Firetrucks cannot navigate tight turns and roundabouts now. I worry about police, fire, and EMS access. A firetruck should not have to do a multi-point "Y" turn to get to an emergency.
2. Current traffic patterns and structure cause traffic jams. We have jutting out sidewalks that cause narrowing of the street and street parking of delivery vehicles that create a one lane being passable.
3. Traffic plans have stalled and residents have not seen much investment in streets, sidewalks, rides share stops. This is inspite of the city taking bonuses from developers.
4. Bars and restaurants already find sewer and utility problems especially during busy weekends. There are no public restrooms in this entertainment district.
5. Coordination with MACC new vision is a must. That build out project looks like a wonderful asset if we can get people to it efficiently and have a place for them to park.
6. A street like iconic Rainey Street will not survive as a midday sun only concrete canyon. Some suggest that Rainey street will look like Manhattan. Concrete jungle.
7. The plans to accommodate literally thousands of additional residents of Rainey District has not considered the "peninsula" like street situation with only 4 ingress/egress options. It is not a grid like mid-town.
8. There are few essential services in the neighborhood. Royal Blue is not a full-service grocery store, there is no pharmacy, bank or post office. Most needs require leaving the neighborhood.
9. Boom town dreams and projections are just that....no promise. Noone really has an understanding of how businesses, their office spaces, and their employees will function in the future. If you build it, they will come may not apply. Suburban life has gained new interest by many in this Covid-19 era.

So, with all this said, I would ask you and the council to do full due diligence on the three projects mentioned above and all projects for my Rainey District and the whole city. Simply said, let's just cool our jets for a little while and get our monies worth with quality, mindful, and sensical growth and development.

Thank you for your consideration.

Sincerely,

Naomi Lynn Weiner  
(805) 795-0804

## Halley, Shannon

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**From:** G Lia Gutierrez <[REDACTED]>  
**Sent:** Monday, February 15, 2021 3:20 PM  
**To:** Tovo, Kathie  
**Cc:** Halley, Shannon  
**Subject:** STOP Extreme Building Density in The Rainey Street District

\*\*\* External Email - Exercise Caution \*\*\*

Dear Councilwoman Tovo,

As a concerned property owner in the Historic Rainey Street District, I urge you to vote **NO** and stop the extreme building density of our beautiful area.

We already have 3 new buildings under construction but we need you to **STOP** the planned building of the highest floor-to-area-ratio (FAR) planned for our historic area.

This coming council meeting vote **NO** for the new proposed buildings at Rainey Street District:

East Tower at 82 East Ave. = 21:1 FAR

River Street Residence at 60 East Ave. = 22:1 FAR

90-92 Rainey at 90-92 Rainey St. = 32:1 FAR

Infrastructure issues including utility overload and traffic as well as view obstruction and creating a concrete canyon on Rainey are only the tip of the iceberg. The bonuses that developers pay for these variances have not stayed in the Rainey District in the past. There is no master plan for our Rainey District! The proposed FAR is too much for our district to bear.

Thank you,

G Lia Gutiérrez  
70 Rainey St  
Austin, TX 78701-4741  
210.413.4884 cell

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## Halley, Shannon

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**From:** Peter Haller <[REDACTED]>  
**Sent:** Monday, February 15, 2021 9:34 AM  
**To:** Adler, Steve; Cortez, John-Michael; Harper-Madison, Natasha; Hartnett, Lauren; Renteria, Sabino; Solorzano, Nicholas; Casar, Gregorio; Trinh, Stephanie; Kitchen, Ann; Tiemann, Donna; Pool, Leslie; Brinsmade, Louisa; Ellis, Paige; Everhart, Amy; Fuentes, Vanessa; Coronado, Jessica; Tovo, Kathie; Halley, Shannon; Alter, Alison; Cadena-Mitchell, Kurt  
**Subject:** Population density in Rainey District

\*\*\* External Email - Exercise Caution \*\*\*

Dear Madams,  
Dear Sirs

With the Quincy, the Nativo Austin, and the 44 East Ave, the Austin Planning Commission has already approved 3 projects in the Rainey District that have a Floor-to-Area Ratio (FAR) of about 15:1, similar to 70 Rainey.

The prospect that new constructions have an even higher FAR, such as East Tower at 82 East Ave (21:1), the River Street Residence at 60 East Ave (22:1), and 90-92 Rainey (31:1!!!), I'm very concerned about the future utility overload, traffic, and even walkability of our beloved Rainey District!

I hereby plead you to help us to avoid drastic reduction of our life-quality for the sake of individual prestige developments - especially without having a clear master plan for our Rainey District.

Thank you for your help!!  
Peter Haller  
70 Rainey

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**Halley, Shannon**

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**From:** Jumanna Stark <[REDACTED]>  
**Sent:** Monday, February 15, 2021 11:37 AM  
**To:** Tovo, Kathie  
**Subject:** Rainey Street

\*\*\* External Email - Exercise Caution \*\*\*

February 15, 2021

Dear Ms. Tovo:

The residents of the Rainey District have been invited to give their opinion on the proposal that the City Council allow exceptions to the Downtown Density Bonus Program under City Code Section 25-2- 586(B)(6). In the near future City Council will be asked to give exception to three new developments:

- SP-2019-0465C, River Street to 22:1 FAR
- SP-2020-0069C, 82-84 North IH 35 (East Avenue) 21:1 FAR
- SPC - 2020-0121C, 90-92 Rainey St. 32:1 FAR

We have consulted with the HOAs in the neighborhood and with neighborhood leaders, and are as a group AGAINST allowing any of these exceptions because:

- No need for an exception exists as shown in the City Council meeting conversations during 2014 that established the Downtown Density Bonus Program City Code Section 25-2-586(B)(6).
- These, individually and as a group of high-density developments, threaten to build out the Rainey District to an intensity that is unsupportable by its local infrastructure and adds significant safety concerns.

An appropriate response to the building boom within the Rainey District must consider the aggregate effects of that boom, to understand what is sustainable within the neighborhood on a holistic basis. We make the following recommendations for your consideration:

1. Pause overdevelopment (FAR greater than 15:1), then establish a neighborhood-wide master plan anticipating conditions once the Rainey District is fully built out (the neighborhood organizations have requested this many times before: a Rainey master plan has never been done).
2. Recognize that at 15:1 FAR, the new developments are that are being approved by Planning without resort to a City Council exception, are already unusually dense (for example, the densest area in the US, Manhattan, has a maximum Far of 12:1 as well as significant subway, bus, and other infrastructure to support the level of density).
3. Decisions to approve excess development densities must follow from a determination that the benefit to the public exceeds the costs to the public.
4. The City Council should hold the line at a FAR of NO greater than 15:1.
5. Approvals should consider the adequacy of the supporting infrastructure.
6. Require adequate retail and service use on the ground floor.

We have the following suggestions for a better zoning code for managing very tall buildings within a dense district like Rainey:

1. The establishment of FAR controls on an aggregate basis per block, supported by the right to transfer development rights among adjacent parcels within a common chain of ownership.
2. The establishment of "Tower on a Base" or "Sky Exposure Plane" rules for tall towers, to avoid a canyon effect that put the streetscape in near constant shade.

Sincerely, Jumanna & James Stark, 54 Rainey St., Austin

Sent from my iPad

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## Halley, Shannon

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**From:** Bonnie Cahill <[REDACTED]>  
**Sent:** Monday, February 15, 2021 4:15 PM  
**To:** Tovo, Kathie  
**Subject:** Rainey Street District

\*\*\* External Email - Exercise Caution \*\*\*

Dear Councilwoman Tovo,

I am opposed to raising the current 15:FAR. Independent studies have shown that the Rainey Street district is being over built in the sense there is an insufficient infrastructure to support the population density. This is especially true because of narrow limited streets in the area which are unable to handle the additional flow of traffic. Additionally, there is no public transportation available. We believe a balanced approach that combines growth with livability is the best answer.

The cause of this conundrum is the city's inability to manage the expansion. The city's approval process is fragmented with countless presentations for various boards and commissions which pass on recommendations from one venue to another. One becomes to think that this confusion is planned so as to avoid personal responsibility.

We believe that the talked about plan for restructuring city government to vest all management functions within the mayor offices should continue to move forward making city government more responsive. This removes any questions about why developers are having more influence with the decisions than the residents and voters.

Bonnie Cahill  
40 IH 35 N #5A1  
Austin, Tx

[REDACTED]  
512-632-0111

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## Halley, Shannon

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**From:** Richard Delaney <[REDACTED]>  
**Sent:** Monday, February 15, 2021 5:53 PM  
**To:** Tovo, Kathie  
**Cc:** Halley, Shannon  
**Subject:** This Thursday's Council Meeting / proposed new hi-rises

\*\*\* External Email - Exercise Caution \*\*\*

Dear Councilman Tovo,

As a resident and owner of a condo unit (The Milago) on Rainey Street, our family is greatly concerned about what again appears to be developers seeking 'ad-hoc' approvals for drastically increasing the "FAR" allowances for future projects being proposed in our neighborhood.

Despite a FAR limit currently for the Rainey District 'on the books' that is 8:1, and then recent approvals extending it upwards to 15:1, now we understand there are THREE proposals that have already passed the Planning Department wherein FAR's are being sought for 21:1, 21:1, and even 32:1 respectively. There are myriad reasons why you, the Mayor, and the City Council should reject these increases for our compact neighborhood and just a few of those would include the following:

- FAR statistics currently in some MAJOR metropolitan areas of the country are way below these requested increases. Not even the borough of MANHATTAN has afforded developers such huge FAR's !
- The Rainey District is essentially a peninsula with very limited ingress and egress. Such density is unsustainable in such a confined neighborhood.
- Already, the District has not been afforded any mass-transit. Project Connect shows no bus or rail that covers the immediate area, either now or even when future growth is contemplated.
- Traffic in and around Rainey is already problematic between pedestrians, cars and delivery trucks. And to consider such enormous density proposals on a street such as Rainey (38' wide !) is not sustainable, nevermind reasonable.
- Rainey's lacking infrastructure necessary to support such skyscraper additions, seeing the area was originally single-family homes and no serious impact analysis has been conducted with respect to sewer, drinking water, cabling systems, schools, etc.
- Today, there are few support services available on Rainey with the exception of a small grocery/convenience store (Royal Blue). These buildings, as envisioned, further demonstrate a lack of such amenity additions and therefore MORE TRAFFIC as people continue to traverse elsewhere by car in order to even shop for groceries, no less other essentials.

The above is just a sample of the reasons these FAR requests should be rejected. Austin needs to develop a sound Master Plan that takes into consideration costs versus benefits to our residents and to Austin itself. We encourage you to place these proposals 'on hold' until such a sound plan is developed going forward.

In advance, thank you for serious consideration to the above and for taking all this into consideration regarding your forthcoming decisions.

Richard Delaney  
54 Rainey Street  
Apt. 814

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## Halley, Shannon

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**From:** William Pastore <[REDACTED]>  
**Sent:** Tuesday, February 16, 2021 10:59 AM  
**To:** Tovo, Kathie  
**Cc:** Halley, Shannon  
**Subject:** STRONG OPPOSITION TO CASE NUMBER: SP-2019-0465C

\*\*\* External Email - Exercise Caution \*\*\*

Dear Council Member Tovo,

I **strongly oppose** the site plan modification from 15:1 Administrative Allowance to 22:1 as requested by 61 & 69 Rainey Street LLC & River Street Partners LLC.

Among many personal perspectives I have on this issue are the following two: **First**, I was one of the very first owners to purchase a condominium at 54 Rainey (Milago) when in 2005 it was the only multi-story building being erected in this area. As such, I have witnessed the explosive growth from a community of single story homes to an already too highly dense neighborhood with its concomitant problems of garbage, noise, impossible traffic congestion at times, theft and crime on the rise, and numerous laws being violated throughout the day. Adding injury to insult, there is neither sufficient infrastructure, nor a legitimate need, for the requested density increase to receive Council approval. A well thought out master plan for the neighborhood should be a necessary prerequisite for all Council decisions. **Second**, I spent my youth in the NYC area and many adult years living and working in Manhattan. I was a property owner there for many years. Despite Manhattan's extensive transportation infrastructure and accommodating public parks, both far in excess than present or planned in the Rainey Street area), for a long time the City was crime ridden, congested, and inordinately filthy, a function due largely to its population density (even at 10:1) and ubiquitous presence of tourists and visitors. The Rainey Street neighborhood is already exhibiting these unsavory characteristics! If the City Council approves the requested change from the 15:1 FAR, this neighborhood will experience very negative consequences, with existing problems terribly exacerbated and many new ones created. This is unfair to residents here!!!! Two expressions in the common vernacular pertain here, namely "Beware of Unintended Consequences" and "Be careful what you wish for"!

The developers were well aware of the density restriction requirements prior to their purchase of the properties to be developed, and they must be held to these regulations. Approving this requested change will be a mockery to the laws and restrictions which should govern new developments.

Among the core responsibilities of the City Council are to protect the health, safety, and welfare of its citizens and ensure appropriate availability of public facilities and outside areas. By approving this request, I believe the City Council members will be violating their commitment, and obligation, to their constituencies. There is not adequate public transportation to/from the area, a grossly insufficient capacity for parking, a ridiculously inadequate level of public spaces (at least Manhattan has Central Park and many smaller ones, but there is almost nothing in the Rainey Street area), and so much foot and vehicular traffic that lives are endangered continuously, with people crossing streets whenever and wherever they choose to do so. Crime and theft

have risen dramatically, even within supposed secure areas. Literally, every single day I observe violations of laws and regulations, and nothing is done to curtail this behavior despite numerous requests made by me and others. And I worry a great deal about the future spread of diseases and illnesses as the close mingling of local residents, non-area visitors, and thousands of tourists (who give little credence or concern to our laws) threaten to turn this area in a literal quagmire of congestion, noise, filth, and unsavory behaviors, all worse than today.

**The citizens of Austin, and particularly in the Rainey Street neighborhood, have already put up with developments that make living here very unattractive and unappealing. Approving this and similar requests beyond the FAR limits is not justified and will continue raining havoc on a neighborhood already too heavily gentrified. Enough is Enough! The developers of 60 East Avenue & 61 and 69 Rainey Street need to be held to the 15:1 Administrative Allowance. Thank you.**

William J. Pastore

Milago owner since 2005/6

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## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Tuesday, February 16, 2021 12:43 PM  
**To:** Tovo, Kathie  
**Subject:** Building permits in Rainey Distric

This message is from Harriet And James Essman. [REDACTED]

Please stop the issuing of development variances for the Rainey area. As I understand bonuses are being given by the developers for these to be issued, and the money is not even going into the area ?? It is far to crowded at this time, there are many issues to consider such as infrastucture ( including utility overload), traffic, view obstruction and noise that are getting out of hand. This is all too rushed and is unfair to the residence in this area. It is already overcrowded in the downtown area and getting more and more unsafe with the homeless situation and lack of sufficient police. Please consider refunding the APD my son goes to UT and has had \$15,000 worth property stolen (car parts and a Rukus) just this year alone!!! The police never even responded for a report with the second incident! Things are getting out of hand in the city and the residents are placing the blame squarely on city council and Adler.

Street address: 70 Rainey

Council District: 9

Note: A copy of this email was sent to all Council Members



**Halley, Shannon**

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**From:** Myra Schussler <[REDACTED]>  
**Sent:** Tuesday, February 16, 2021 1:49 PM  
**To:** Tovo, Kathie; Halley, Shannon  
**Subject:** Change in density law

\*\*\* External Email - Exercise Caution \*\*\*

What makes Austin special is our unique way of life. All this is being threatened in the Rainey Street area by an attempt by builders to create a density that will be the highest anywhere in the US. To earn this bonus they will allow a few apartments to be designated subsidized housing. The number of these subsidized apartments is so few per development that its impact will be meaningless. But the impact on our traffic, our infrastructure, our utilities and our way of life will forever be irrevocably damaged in the name of developmental excess.

Please consider the future of the Austin way of life and those of us who live in the Rainey Street neighborhood before you allow a few, often outsiders, to harshly impact our homes, our sanctuaries and our happiness.

You now have the opportunity to create an exciting area in our state capital that will certainly be attractive to those companies who want to move to Austin because our way of life in the city is very attractive to an educated, motivated and talented work force. What is proposed is tall buildings in a small area which will create corridors of shadows, and an environment which would be unhealthy for all of Austin and certainly not attractive to companies considering relocating here.

Sincerely,  
Dr and Mrs. Irwin Schussler

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**Halley, Shannon**

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**From:** mark.scheinberg <[REDACTED]>  
**Sent:** Tuesday, February 16, 2021 2:39 PM  
**To:** Tovo, Kathie; Halley, Shannon  
**Subject:** City Council Meeting 2/16/21 - additional floor-to-area entitlements for Rainey Street neighbourhood developments

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Dear Council Member,

Ten years ago I moved into one of 827 units in the Rainy Street neighborhood.

Since then the neighborhood added 2197 new units (including the ones under construction).

The area is now experiencing a building boom which would bring additional 1139 units. The trouble is that developers are proposing the construction of properties at a floor-to-area ratio (FAR) for the Rainey Street neighborhood of 2-3 times as dense as Manhattan allows, and up to 4 times denser than the 8.0 FAR zoned for Rainey. I am concerned that every one of the low-rise or undeveloped parcels in our neighborhood could soon be developed at similar densities. This may make our small neighborhood the urban area with the most density in the U.S.

There are several other proposed developments, and if you make other exceptions for those it would bring the total population of the neighborhood with the area of 0.1 sq. miles to more than 13,000 people. For comparison the entire Austin DT current population is estimated as 12,000 people spread on the area of about 2 sq. miles.

Meantime for the last 10 years very little was done to match the neighborhood infrastructure to the 5-6 times population increase. We have neither the street system or the transit system locally to handle that density.

I did not even mention the office space proposed to be built.

I ask you not to grant additional floor-to-area entitlements over 15:1 FAR to River Street, 82-84 North IH 35, or 90-92 Rainey Street and keep development in the Rainey Street neighborhood within the FAR approved for Austin DT.

Thank you very much,

Mark Scheinberg

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## Halley, Shannon

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**From:** DANA EVANS <[REDACTED]>  
**Sent:** Tuesday, February 16, 2021 6:38 PM  
**To:** Tovo, Kathie  
**Cc:** Halley, Shannon; Harper-Madison, Natasha; Fuentes, Vanessa; Coronado, Jessica; Renteria, Sabino; Solorzano, Nicholas; Casar, Gregorio; Trinh, Stephanie; Kitchen, Ann; Tiemann, Donna; Pool, Leslie; Brinsmade, Louisa; Ellis, Paige; Everhart, Amy; Alter, Alison; Cadena-Mitchell, Kurt; Adler, Steve; Cortez, John-Michael  
**Subject:** City Council agenda 2/18 - FAR waivers in Rainey St. District

\*\*\* External Email - Exercise Caution \*\*\*

Councilwoman Tovo:

I attended an emergency meeting of the Rainey Street Neighborhood Association (RNA) on Saturday, 2/13, which was called to discuss the agenda item before the Council on 2/18 relating to granting of FAR entitlements under the Density Bonus Program for properties at 61 and 69 Rainey Street and 60 East Avenue. It is the understanding of the RNA that the Planning Commission proposes to grant FAR entitlements to exceed the established FAR density of 8:1, and even to exceed the Density Bonus Program ordinance of 15:1. The ratios being discussed are up to 32:1.

I have lived at The Shore, 603 Davis Street, since 2017. I have also lived at the Windsor Apartments at 43 Rainey Street in the past. It is inconceivable to me that the Council would grant FAR entitlements exceeding 15:1 in the Rainey District. Perhaps no one from Council has tried to drive in the area in the evening Thursday through Sunday? For over 2 years, my wife and I have had to enter our property via River Street, and then use the alley behind 70 Rainey. This is because of construction at the Quincy on Davis Street. I cannot imagine what the traffic will be like with the new construction and the end of the pandemic.

However, it is not the FAR entitlements that concern me most. What causes most of the problem is the lacking of parking ratio requirements for developers. There is not currently enough public parking for visitors to commercial and residential buildings in the Rainey Street area. A lot of the traffic is people circling and looking for parking. In case you do not know, parking at the MACC is usually full by 7 PM on Thursday through Sunday nights. I estimate that The Shore should have 20 visitor parking spaces - we have 10, and two of those are dedicated for the disabled. And The Shore was built when there were parking ratios for downtown development. Most recently, it is my understanding that the developers for 90-92 Rainey Street changed their plan from mixed use to 446 apartments, with only 267 parking spaces. This makes no sense. There is no bus service to this neighborhood (and we don't need it). Project Connect will not fix this problem..

By extension, a critical issue for development in the Rainey District is traffic flow. If you want to preserve the heritage of Rainey Street, you will eventually make it pedestrian only from Davis to River Streets. When that happens, you will only be able to enter/exit the area via Red River, and River Streets. It is already impossible to navigate a car safely on Rainey Street anytime of day, and it will be worse as the construction at 90-92 Rainey begins. You have approved easements that will not allow for widening of these streets. Traffic will be gridlock with 15:1 density. It cannot support higher density. There have been a number of traffic surveys that point to foreseeable problems. You should discard surveys done during the daytime, and during the pandemic.

Speaking of easements, the Planning Commission and Council routinely grant variances for easements and setbacks, which do not allow for usable sidewalks, much less outdoor spaces. Doing this in combination with high FAR density will leave no usable space for residents and visitors. It seems to me that appropriate setbacks should also allow for construction without blocking traffic lanes for 2-3 years.

I have seen virtually zero improvements to the Rainey neighborhood outside of developed properties (Rainey received an asphalt coating, and the River Street roundabout curb was improved - I would say this is maintenance and not improvement). The Planning Commission notes sidewalks throughout the district. It is quite a stretch to call incomplete stretches of uneven and broken concrete "sidewalks". All of the DBP assessments apparently go somewhere else. Fees paid by developers should be going to improve the neighborhoods they develop. We do not need contributions to affordable housing - there is no affordable housing in this neighborhood.

Finally, most of the development in the Rainey District has been residential. Residents bring their pets, and many seem to like the largest dog breeds. The current green space is already stressed, and cannot support additional pets, much less leave any space for people. And remember, you will be taking away park space at the MACC for the new improvements you just completed surveys for.

The Council should get the neighborhood associations involved and make them an integral part of planning development in the Rainey District. It would be a good idea to survey the neighborhood before proposing FARs to exceed 15:1. Any entitlement above the standard of 8:1 should provide for improvements to the community in general as well as to the planned development.

Please reject proposals for DBP entitlements exceeding 15:1 in the Rainey District. In addition, Council should increase input from the neighborhood before granting DBP FAR entitlements, and before granting variances and waivers for easements and setbacks. Finally, Council needs to reinstate parking ratios for downtown development and ensure adequate parking for residents, visitors, patrons and employees of downtown buildings.

Dana Evans  
603 Davis Street, #1503  
512-217-8199

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## Halley, Shannon

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**From:** Noreen Fahey <[REDACTED]>  
**Sent:** Tuesday, February 16, 2021 9:03 PM  
**To:** Fuentes, Vanessa; Coronado, Jessica; Tovo, Kathie; Halley, Shannon; Alter, Alison; Cadena-Mitchell, Kurt  
**Subject:** Rainey Street FAR

\*\*\* External Email - Exercise Caution \*\*\*

Dear Mayor Adler and City Council Members,

Re: City Section 25-2-586(B)(6)

The Rainey Street area has previously been zoned with a Floor Area Ratio (FAR) at 8:1. Newer buildings have been changed to 15:1 ratio and the projected buildings are to be at 20:1 or higher ratio. I am against this new ratio and if the new FAR exceeds the original recommendation it will severely impact the current and future residents of the Rainey neighborhood.

Our density is one of the highest in the nation and currently does not support it's residents with grocery/drug stores, dry cleaning, etc. More buildings at the higher ratio will impact the neighborhood even more, making this neighborhood a concrete jungle and forcing the residents to drive into other areas for essentials. There are only 2 roads in/out of the area and you can only imagine the traffic jams especially on a busy weekend. Rainey Street will lose its walkability feature, one of the many reasons people choose to live in an urban environment.

Taller buildings will reduce the natural light that we would see in our homes and as we walk in the area which is a real plus for living in Austin. The closeness of buildings will reduce the privacy of each home and no one wants their neighbors looking in their windows.

It seems that the developers offer of money to the city are able to bypass the FAR ratios already in place and skip on the affordable housing and the city government goes along with this arrangement and seems to have little concern for the taxpaying residents.

I'm against raising the FAR limits because it will greatly change our current and future environment, along with more car traffic and result in a detrimental impact on the atmosphere of the Historic Rainey area. The Council should be working in the interest of the voters not corporate and city interests.

Regards,

Noreen Fahey

The Shore

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## Halley, Shannon

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**From:** Bob Abelman <[REDACTED]>  
**Sent:** Wednesday, February 17, 2021 8:24 AM  
**To:** Renteria, Sabino; Solorzano, Nicholas; Casar, Gregorio; Trinh, Stephanie; Kitchen, Ann; Tiemann, Donna; Pool, Leslie; Brinsmade, Louisa; Ellis, Paige; Everhart, Amy; Fuentes, Vanessa; Coronado, Jessica; Tovo, Kathie; Halley, Shannon; Alter, Alison; Cadena-Mitchell, Kurt  
**Cc:** [REDACTED]  
**Subject:** Rainey St. overdevelopment

\*\*\* External Email - Exercise Caution \*\*\*

Dear Member of the City Council:

As a resident of the Rainey District, I am writing to express my concern about overdevelopment.

In the near future City Council will be asked to give exception to three new developments: SP-2019-0465C, River Street to 22:1 FAR; SP-2020-0069C, 82-84 North IH 35 (East Avenue) 21:1 FAR; and SPC – 2020-0121C, 90-92 Raney St. 32:1 FAR.

There is no need for an exception. These, individually and as a group of high-density developments, threaten to build out the Rainey District to an intensity that is unsupportable by its local infrastructure and adds significant safety concerns.

Please pause overdevelopment, then establish a neighborhood-wide master plan anticipating conditions once the Rainey District is fully built out. There should also be an establishment of “Tower on a Base” or “Sky Exposure Plane” rules for tall towers, to avoid a canyon effect that put the streetscape in near constant shade.

Thank you for your consideration.

Bob & Judy Abelman

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**Halley, Shannon**

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**From:** Rose McGowan <mcgowan[REDACTED]>  
**Sent:** Thursday, February 18, 2021 1:41 PM  
**To:** Tovo, Kathie  
**Subject:** population density Rainey Street community

\*\*\* External Email - Exercise Caution \*\*\*

Please do not let the cash YOU received by developers allow the FAR to exceed 12.1. It is illegal and a lawsuit would hold up the betterment of the community.

If you have been to our neighborhood you will see we have infrastructure issues without adding new buildings.

Austin Planning has approved  
Quincey at 91 Red River....14.1 FAR  
Nativo Austin at 48 East. 15.0 FAR  
44 East Condos 15.1 FAR  
AND  
Austin Planning also approved  
East Tower at 82 East. 21.1 FAR  
River Street Residence at 60 East Ave. 22.1 FAR  
lastly 90-92 Rainey Street.

PLEASE DO NOT LET DEVELOPERS RUIN OUR NEIGHBORHOOD. THERE IS PLENTY OF WAYS TO BUILD WITHOUT RUINING THIS CORNER OF THE CITY. PLEASE!!

do not let the bonus for bonus development variance go through. Our property values and quality of life will be destroyed.

Thank you so much.  
Rose McGowan  
70 Rainey Street  
Austin, 78701

-- Rose McGowan

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## Halley, Shannon

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**From:** Brian Furlong <[REDACTED]>  
**Sent:** Friday, March 12, 2021 5:28 PM  
**To:** Tovo, Kathie  
**Subject:** Fwd: Density within the Rainey District

\*\*\* External Email - Exercise Caution \*\*\*

Dear Council Member Tovo,

I have been communicating recently with Shannon Halley about the issue of excess density within the Rainey District. Here is a letter that I have been sending to each of the City Council members regarding that.

I recently moved to Austin's Rainey District after retiring in 2020 from a 38-year career in commercial real estate throughout the United States. My most recent position was at New York Life, where I oversaw commercial real estate (CRE) portfolios totaling \$46 billion located predominantly in the top 30 U.S. and Mexican MSAs, including Austin. Over my career I have been involved in over \$200 billion dollars of CRE investments.

I have noted that while the Rainey District is already the fastest growing area of Austin, several developers in Rainey are now simultaneously upping the ante by seeking ad-hoc City Council approval for additional density in the 21-32 FAR range. If these densities are approved the windfall profits for the developers will be so high that many other owners of undeveloped parcels in Rainey will seek to follow suit. The bar will have been reset, and these extreme densities will become the new normal.

Developments to 21-32 FAR represents more density than Austin has ever experienced and more density than allowed under FAR limits virtually anywhere in the United States. It has been extremely rare to top 15:1 FAR in Austin in the past. Consider that FAR legally tops out at 12:1 in Manhattan after incentives, and Manhattan is the densest place in the country. Austin's tallest building, the Independent, is 12:1 FAR as is the tallest building in Rainey, at 70 Rainey Street.

Manhattan has support for its density that Rainey does not, including a first-class street grid, the nation's most extensive systems of rail, subway and buses, and a system of street level retail and service establishments that enables and encourages walkability.

Rainey has only a few streets. These are narrow, short, and they often dead end so gridlock can be expected when things get dense. Rainey is car dependent and will mostly stay so, unless mass transit and street level retail and services come into the neighborhood at a scale sufficient to allow residents and visitors with a workable alternative to their cars. In Rainey one can get drinks and restaurant food locally but little other retail or services exist, so people drive elsewhere for virtually everything else.

If Rainey gets built out to record-setting densities without the infrastructure or mass transit to support it, things may end up badly. Ambulance and fire trucks may be prevented by traffic snarl from saving people's lives. The quality of life for locals will plunge. The MACC may not be supported by the street accessibility necessary to adequately accommodate its expansion plans as a first-class cultural

center. Other infrastructure systems (water, sewer, storm water, etc.) may fail at times of stress such as a flood or a winter storm.

The Rainey Neighborhood Association asked that I reach out to the City Council members to discuss in the dangers of uncapped rapid growth in Rainey. We ask that you:

- a. avoid ad hoc City Council approvals of projects – stick with the 15:1 FAR limit approvable by City Planning, which itself is a very high density.
- b. develop and institute a plan for the Rainey neighborhood that anticipates conditions once the neighborhood is built out to its maximum allowable density, considering various density maximums. If you shift to much more than 15:1 FAR and the neighborhood gets built out at that density – what happens?

We know from the recent winter storm experience in Texas that it is wise to plan for how infrastructure systems will perform under conditions of maximum load. We have an opportunity here to make good use of that hard-won wisdom by looking prospectively at Rainey conditions at maximum load.

If you would like to discuss this I can do a call any time between next Wednesday and Friday (the 17<sup>th</sup>-19<sup>th</sup>) or else the following Monday (the 22<sup>nd</sup>).

Thank you,

Brian Furlong  
737-932-5188

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**Halley, Shannon**

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**From:** Michael Cavazos <[REDACTED]>  
**Sent:** Monday, March 15, 2021 10:27 AM  
**To:** Tovo, Kathie  
**Subject:** Rainey Street density concerns

\*\*\* External Email - Exercise Caution \*\*\*

Dear Council Member Tovo,

I am writing to express my concerns about ever-increasing Floor to Area (FAR) requests coming from developers for projects within the Rainey Street District. The City Council is going to be asked to approve projects with FARs of 21:1, 22:1, and 32:1. These are in excess of the 8:1 FAR that is zoned for Rainey, with exceptions under the city's density bonus program that allows FAR up to 15:1.

My concern is with the densities proposed, there is no corresponding plan to Rainey's infrastructure to handle this density. It has come to my attention that even in New York City's Manhattan borough, FAR is limited to only 12:1. That is in a city that has a public transportation system that dwarfs that of Austin's.

I also have a secondary concern that several new developments do not have any building setbacks incorporated into their designs. This will keep streets in the District in a perpetual shadow.

Please do not allow buildings in the Rainey District to exceed an FAR of 15:1. The District's infrastructure is not set up to allow for the influx of cars and pedestrians that the higher density projects will bring.

Regards,

Michael Cavazos

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**Halley, Shannon**

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**From:** Trecia Roberts [REDACTED] <[REDACTED]>  
**Sent:** Monday, March 15, 2021 10:33 AM  
**To:** Tovo, Kathie  
**Cc:** Halley, Shannon  
**Subject:** LIMIT RAINEY DISTRICT FAR TO 15.1

\*\*\* External Email - Exercise Caution \*\*\*

### **Rainey District Faces An Unplanned Urban Density Disaster**

**Residents are against all FARs above 15.1 for any future development because the infrastructure is not adequate.**

**Please support our District 9 representative, Kathy Tovo, in her efforts to limit the FAR to 15.1 in the Rainey District and STOP Planning Commission decisions until we get clarity and resolve on the Density Issue.**

Since 2012 I have responded to City Council requests and been an active voice in the Rainey community. I have lived at the Towers of Town Lake in the Rainey District for 30 years. I am an 81 old resident who pays her taxes and votes in every election. **After 9 years of asking and working for a comprehensive development plan for the entire district, I request that you finally give us one. Please call to talk about details.**

Sincerely,

Trecia Roberts

512 632-9694

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**Halley, Shannon**

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**From:** MB B <[REDACTED]>  
**Sent:** Monday, March 15, 2021 2:04 PM  
**To:** Tovo, Kathie  
**Subject:** Please protect Rainey and oppose increased FAR

\*\*\* External Email - Exercise Caution \*\*\*

Hello-

I am a resident at 54 Rainey Street in Austin. I am very disturbed that you are considering allowing further development in the Rainey Historic District, and I am writing to ask you to oppose what would irrevocably destroy this community and detract from what makes Austin special. I promise that we will all organize to defeat you in your next election if you support such devastating building. You will instead have my active support if you will:

- 1) Develop a comprehensive development plan for the Rainey District – thus far none has been done.
- 2) Approve NO development with a FAR greater than 15:1 (the current limit) until a comprehensive plan is completed and the plan suggests allowing FARs greater than 15:1. Ensure that the comprehensive development plan considers the street size, traffic lanes and emergency vehicle access for all buildings and residents within Rainey.

Best regards,

Marlowe Burke

54 Rainey St, #317

Austin, TX 78701

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## Halley, Shannon

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**From:** Brittany Wheeler [REDACTED] >  
**Sent:** Monday, March 15, 2021 2:56 PM  
**To:** Tovo, Kathie; John-Michael.Cortez@austintexas.gov; Adler, Steve; Spillar, Rob; Beaudet, Annick; Cronk, Spencer; Fiandaca, Gina  
**Subject:** Rainey St. Development - Neighborhood Safety Concerns

\*\*\* External Email - Exercise Caution \*\*\*

Hello Kathie Tovo, Mayor Adler and team,

We must protect the Rainey neighborhood and SHOULD NOT approve further development until a comprehensive development plan to support the neighborhood population density concerns are addressed. The neighborhood is expected to triple in size with no improvements to our infrastructure, traffic mitigation issues, or safety. This will result in the neighborhood going well beyond the legal limit of "Floor to Area" (FAR) ratio of 15:1. As City Council considers approving further developments within Rainey that go beyond the current legal limit (FAR 15:1), please consider that we already have 4 residential condo towers, 6 apartment towers, 3 hotels, dozens of bars/restaurants and an active Mexican American Cultural Center. All of this currently exists with limited streets, no public transportation (and nothing inside the District planned), crowded streets on Thursdays, Fridays and Saturday nights with limited sidewalks, no street markings to guide safe street crossings, no bike lanes, concerns about emergency vehicle access (fire trucks, ambulances, etc.) and more.

Some of the proposed developments of River Street Residence = 22:1 FAR, 84 East Ave = 21:1 FAR, 90-92 Rainey = 32:1 FAR go well beyond the legal FAR limit in Austin. The densest area in the US, Manhattan, has a maximum FAR of 12:1 as well as significant pedestrian areas, developed road ways, emergency vehicle access, subways, buses, and other infrastructure to support the level of density. An appropriate response to the building boom within the Rainey District must consider the aggregate effects of that boom, to understand what is sustainable within the neighborhood on a holistic basis. We make the following recommendations for your consideration:

- Develop a comprehensive development plan for the Rainey District – thus far none has been done. We recommend asking the developers to include infrastructure and neighborhood improvements into their proposals if they are to be approved.
- Approve NO development with a FAR greater than 15:1 (the current limit) until a comprehensive plan is completed and the plan suggests allowing FARs greater than 15:1. Ensure that the comprehensive development plan considers the street size, traffic lanes and emergency vehicle access for all buildings and residents within Rainey.

Together we can work to ensure a safe and friendly district for residents, workers, and visitors.

**Rainey is a wonderful area to live in and visit so let's make sure we grow in a way that is responsible and ensures everyone's safety!**

Brittany Wheeler

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## Halley, Shannon

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**From:** Dana Brodsky <[REDACTED]>  
**Sent:** Monday, March 15, 2021 3:22 PM  
**To:** Tovo, Kathie; Halley, Shannon  
**Subject:** Rainey Street Overdevelopment

\*\*\* External Email - Exercise Caution \*\*\*

Dear Council Member Tovo and Ms. Halley,

The Austin City Council will be making an important decision on March 25 on whether to grant density bonuses to new developments on Rainey Street. Developers of three separate parcels are requesting increases to floor area ratios (FAR) of up to 32:1. To put that in perspective, the FAR limit for Manhattan is 12:1! And to further drive home the point, Manhattan (being designed for high-density living) has extensive public transportation and robust infrastructure. By comparison, the Rainey Street district was formerly a community of small bungalows; there is no public transportation, limited sidewalks, no street markings to guide safe street crossings, and no bike lanes.

As you know, Rainey Street has been under constant development for several years with little or no improvements to infrastructure, traffic mitigation issues, or safety. It is already home to four residential condo towers (some with over 30 stories), three apartment towers (some with over 30 stories), three large hotels, dozens of bars and restaurants, and the soon-to-be expanded Mexican American Cultural Center. There are also three more residences currently under construction on or near Rainey Street, with one planned to have almost 50 stories.

The development of an underutilized area in a growing economy is a wonderful thing but it must be done sensibly and with foresight. The Rainy Neighborhood Association is asking for your help in advance of the March 25 council meeting. **In particular, we are urging the leaders of this city to:**

- 1. Develop a comprehensive development plan for the Rainey District that takes into account street size, traffic lanes, and emergency vehicle access for all buildings and residents on and around Rainey Street, and**
- 2. Deny requests for density bonuses greater than FARs of 15:1 until that comprehensive plan is completed.**

For the sake and safety of Rainey Street's residents and visitors, I hope that you will join us in calling for a moratorium on density bonuses until a comprehensive plan is in place.

Sincerely,

Dana Brodsky, Rainey Street Resident

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**Halley, Shannon**

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**From:** Judy Abelman <[REDACTED]>  
**Sent:** Monday, March 15, 2021 4:16 PM  
**To:** Tovo, Kathie  
**Subject:** Fwd: March 25 Ruling on Density Bonuses

\*\*\* External Email - Exercise Caution \*\*\*

Dear Ms. Tovo

The Austin City Council will be making an important decision on March 25 on whether to grant density bonuses to new developments on Rainey Street. Developers of three separate parcels are requesting increases to floor area ratios (FAR) of up to 32:1. To put that in perspective, the FAR limit for Manhattan is 12:1! And to further drive home the point, Manhattan (being designed for high-density living) has extensive public transportation and robust infrastructure. By comparison, the Rainey Street district was formerly a community of small bungalows; there is no public transportation, limited sidewalks, no street markings to guide safe street crossings, and no bike lanes.

As you know, Rainey Street has been under constant development for several years with little or no improvements to infrastructure, traffic mitigation issues, or safety. It is already home to four residential condo towers (some with over 30 stories), three apartment towers (some with over 30 stories), three large hotels, dozens of bars and restaurants, and the soon-to-be expanded Mexican American Cultural Center. There are also three more residences currently under construction on or near Rainey Street, with one planned to have almost 50 stories.

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1. Develop a comprehensive development plan for the Rainey District that takes into account street size, traffic lanes, and emergency vehicle access for all buildings and residents on and around Rainey Street, and
2. Deny requests for density bonuses greater than FARs of 15:1 until that comprehensive plan is completed.

**For the sake and safety of Rainey Street's residents and visitors, I hope that you will join us in calling for a moratorium on density bonuses until a comprehensive plan is in place.**

Sincerely,

Judy Abelman  
Rainey Street Resident  
54 Rainey Street, Unit #522

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## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Monday, March 15, 2021 4:21 PM  
**To:** Tovo, Kathie  
**Subject:** Rainey Street Development Decision on March 25

This message is from Caroline Pulliam. [REDACTED]

The Austin City Council will be making an important decision on March 25 on whether to grant density bonuses to new developments on Rainey Street. Developers of three separate parcels are requesting increases to floor area ratios (FAR) of up to 32:1. To put that in perspective, the FAR limit for Manhattan is 12:1! And to further drive home the point, Manhattan (being designed for high-density living) has extensive public transportation and robust infrastructure. By comparison, the Rainey Street district was formerly a community of small bungalows; there is no public transportation, limited sidewalks, no street markings to guide safe street crossings, and no bike lanes.

Rainey Street has been under constant development for several years with little or no improvements to infrastructure, traffic mitigation issues, or safety. It is already home to four residential condo towers (some with over 30 stories), three apartment towers (some with over 30 stories), three large hotels, dozens of bars and restaurants, and the soon-to-be expanded Mexican American Cultural Center. There are also three more residences currently under construction on or near Rainey Street, with one planned to have almost 50 stories.

The development of an underutilized area in a growing economy is a wonderful thing but it must be done sensibly and with foresight. The Rainy Neighborhood Association is asking for your help in advance of the March 25 council meeting. In particular, we are urging the leaders of this city to:

1. Develop a comprehensive development plan for the Rainey District that takes into account street size, traffic lanes, and emergency vehicle access for all buildings and residents on and around Rainey Street, and
2. Deny requests for density bonuses greater than FARs of 15:1 until that comprehensive plan is completed.

For the sake and safety of Rainey Street's residents and visitors, I hope that you will join us in calling for a moratorium on density bonuses until a comprehensive plan is in place.

Best,

Caroline Pulliam, Rainey Street Resident

No district found for the address provided.

Street address:

Council District: 0

Note: A copy of this email was sent to all Council Members



**Halley, Shannon**

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**From:** Siewkie Walsh <[REDACTED]>  
**Sent:** Monday, March 15, 2021 5:17 PM  
**To:** Alter, Alison; Everhart, Amy; Tiemann, Donna; Gregorio.Cesar@austintexas.gov; Jessica.Coronado@austintexas.com; John-Michael.Cortiz@austintexas.gov; Tovo, Kathie; Leslie.Pool@austintexas.com; Louisa.Brinsmade@austintexas.com; Solorzano, Nicholas; Ellis, Paige; Renteria, Sabino; Stephanie.Trinh@austintexas.gov; Kitchen, Ann; Cadena-Mitchell, Kurt; Hartnett, Lauren; Harper-Madison, Natasha; steveadler@austintexas.gov; Fuentes, Vanessa  
**Subject:** Very concern about proposed FAR within Rainey Street

\*\*\* External Email - Exercise Caution \*\*\*

Dear Mayor and City Council members,

We are residents of Milago at 54 Rainey Street and have received all notices regarding buildings proposed for Rainey Community.

We proposed that you all :

- Develop a comprehensive development plan for the Rainey District – thus far none has been done.
- Approve NO development with a FAR greater than 15:1 (the current limit) until a comprehensive plan is completed and the plan suggests allowing FARs greater than 15:1. Ensure that the comprehensive development plan considers the street size, traffic lanes and emergency vehicle access for all buildings and residents within Rainey.

We are both senior citizens and truly enjoy living at Milago.  
Please consider what we proposed carefully.

Sincerely yours,  
Vincent and Siewkie Walsh

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Sent from Gmail Mobile

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## Halley, Shannon

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**From:** Diana Guizado <patricia.guizado1[REDACTED]>  
**Sent:** Tuesday, March 16, 2021 2:55 PM  
**To:** Tovo, Kathie; Halley, Shannon  
**Subject:** Downtown Density Bonus Program: Rainey Street

\*\*\* External Email - Exercise Caution \*\*\*

Dear Kathie Tovo and Shannon Halley,

As a resident of Rainey Street and collaborator at the Mexican American Center, I'm concerned about the future development in our District. It has already suffered much due to gentrification. Hence, I support Rainey Neighborhood Association's proposals.

We ask that you,

- Develop a comprehensive development plan for the Rainey District - thus far none has been done.
- Approve NO development with a FAR greater than 15:1 (the current limit) until a comprehensive plan is completed and the plan suggests allowing FARs greater than 15:1. Ensure that the comprehensive development plan considers the street size, traffic lanes and emergency vehicle access for all buildings and residents within Rainey.

Together we can work to ensure a safe and friendly district for residents, workers, and visitors.

Thank you for your time!

Sincerely,

Diana

**Diana Patricia Guizado Garza**

BA Theatre & Dance | Business Minor

University of Texas at Austin

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**Halley, Shannon**

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**From:** Keri Pearlson <[REDACTED]>  
**Sent:** Tuesday, March 16, 2021 6:31 PM  
**To:** Tovo, Kathie  
**Cc:** Halley, Shannon; Keri Pearlson  
**Subject:** Concerns about Rainey Area Growth without Preparation

\*\*\* External Email - Exercise Caution \*\*\*

Dear Austin Council Member Tovo,

I am writing to you today as a concerned citizen of Austin and a resident of the Rainey Street area. I've been living in Austin for almost 30 years and have seen (and enjoyed) the growth of our city. But what I'm witnessing today is of great concern. I'm reaching out to you today to ask you as both a citizen and a civic leader of Austin to do something about it.

My concern is the incredible population density in the Rainey area that is about to explode with all the new high rises under construction and under review. My daughter lives in Manhattan and I did some research comparing our area to Manhattan, one of the busiest cities in the world. Manhattan has a FAR limit of 12:1, has wide streets large streets and subways to move traffic around. Yet it has many urban problems such as trash, pollution, congestion, noise, high homeless population, and crime that at the moment are not big problems for the Rainey area. It may be romantic to think of Rainey as "little New York" but that comes with a real threat of increasing these problems in our own area.

The current trajectory for Rainey puts the FAR at a much higher density than even NYC. This is of great concern. With an Austin 'law' of 15:1, and little to no change in public transportation options, wider street design, and upgrades to common/green area, the Rainey area will already be greatly negatively impacted by the density it experiences. However, my research suggests that the trajectory of the area will grow to a FAR much more dense, possibly close to double NYC, at 22:1. This is really insane. The noise and trash pollution and other threats to the area will not only exceed unacceptable levels, but are likely to be unhealthy for those very people who live or visit the area. Will emergency vehicles have safe access to, and around the area? The individual property values in the area are likely to drop, not increase with these problems. And the very population living and supporting the area now is likely to leave.

Will the City Council be blamed when these problems magnify due to inaction or inappropriate action?

My ask to you is simple. First, please create an official strategic community plan for infrastructure, support, protection and growth of the Rainey area. As far as I can find, there is none. Without a plan, any new project will have nothing official to guide it, and the unmanageable density will continue without any subsequent protection and improvements to the area. Second, please do not allow the FAR to exceed the current law of 15:1. That has already caused many issues with our narrow streets and lack of reliable public transportation. Streets are blocked by new project construction, traffic on weekends is crazy, crime is increasing, and trash is polluting our streets. Emergency vehicles already are challenged coming into and leaving our neighborhood with all the blocked streets. We already need infrastructure improvements, but that is a topic for another day. Should the density increase as projected, it will be disastrous. Please don't let this happen.

It's pretty clear a lot of money is being made by someone developing the very large, tall, residential towers in this area, but the 'benefits' are not trickling down to the neighborhood.

The adage "NYC never sleeps" is both a blessing and a curse. We don't want Rainey to be 'little New York'. We want it to be one of Austin's amazing neighborhoods. Please help us make that vision a reality.

Kind regards,  
Keri Pearlson

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**Halley, Shannon**

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**From:** Elaine and Mehmet Selis <[REDACTED]>  
**Sent:** Wednesday, March 17, 2021 3:51 AM  
**To:** Tovo, Kathie  
**Subject:** Rainey Street Density Bonuses

\*\*\* External Email - Exercise Caution \*\*\*

Dear Kathie Tovo,

The Austin City Council will be making an important decision on March 25 on whether to grant density bonuses to new developments on Rainey Street. Developers of three separate parcels are requesting increases to floor area ratios (FAR) of up to 32:1. To put that in perspective, the FAR limit for Manhattan is 12:1! And to further drive home the point, Manhattan (being designed for high-density living) has extensive public transportation and robust infrastructure. By comparison, the Rainey Street district was formerly a community of small bungalows; there is no public transportation, limited sidewalks, no street markings to guide safe street crossings, and no bike lanes.

As you know, Rainey Street has been under constant development for several years with little or no improvements to infrastructure, traffic mitigation issues, or safety. It is already home to four residential condo towers (some with over 30 stories), three apartment towers (some with over 30 stories), three large hotels, dozens of bars and restaurants, and the soon-to-be expanded Mexican American Cultural Center. There are also three more residences currently under construction on or near Rainey Street, with one planned to have almost 50 stories.

The development of an underutilized area in a growing economy is a wonderful thing but it must be done sensibly and with foresight. The Rainy Neighborhood Association is asking for your help in advance of the March 25 council meeting. In particular, we are urging the leaders of this city to:

1. Develop a comprehensive development plan for the Rainey District that takes into account street size, traffic lanes, and emergency vehicle access for all buildings and residents on and around Rainey Street, and
2. Deny requests for density bonuses greater than FARs of 15:1 until that comprehensive plan is completed.

For the sake and safety of Rainey Street's residents and visitors, I hope that you will join us in calling for a moratorium on density bonuses until a comprehensive plan is in place.

Sincerely,

Elaine Selis  
Rainey Street Resident

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## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Wednesday, March 17, 2021 10:39 AM  
**To:** Tovo, Kathie  
**Subject:** development plan needed

This message is from Sidney Storey. [REDACTED]

"Dear Councilors,

The Austin City Council will be making an important decision on March 25 on whether to grant density bonuses to new developments on Rainey Street. Developers of three separate parcels are requesting increases to floor area ratios (FAR) of up to 32:1. To put that in perspective, the FAR limit for Manhattan is 12:1! And to further drive home the point, Manhattan (being designed for high-density living) has extensive public transportation and robust infrastructure. By comparison, the Rainey Street district was formerly a community of small bungalows; there is no public transportation, limited sidewalks, no street markings to guide safe street crossings, and no bike lanes.

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The development of an underutilized area in a growing economy is a wonderful thing but it must be done sensibly and with foresight. The Rainy Neighborhood Association is asking for your help in advance of the March 25 council meeting. In particular, we are urging the leaders of this city to:

1. Develop a comprehensive development plan for the Rainey District that takes into account street size, traffic lanes, and emergency vehicle access for all buildings and residents on and around Rainey Street, and
2. Deny requests for density bonuses greater than FARs of 15:1 until that comprehensive plan is completed.

For the sake and safety of Rainey Street's residents and visitors, I hope that you will join us in calling for a moratorium on density bonuses until a comprehensive plan is in place.

Sincerely,

Sidney Storey, Rainey Street Resident"

Street address: 54 RAINEY ST, AUSTIN, TX, 78701

Council District: 9

Note: A copy of this email was sent to all Council Members

## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Wednesday, March 17, 2021 10:58 AM  
**To:** Tovo, Kathie  
**Subject:** Rainey St. Devolopment plan

This message is from Domingos Tome. [REDACTED]

"Dear City Councilors,

The Austin City Council will be making an important decision on March 25 on whether to grant density bonuses to new developments on Rainey Street. Developers of three separate parcels are requesting increases to floor area ratios (FAR) of up to 32:1. To put that in perspective, the FAR limit for Manhattan is 12:1! And to further drive home the point, Manhattan (being designed for high-density living) has extensive public transportation and robust infrastructure. By comparison, the Rainey Street district was formerly a community of small bungalows; there is no public transportation, limited sidewalks, no street markings to guide safe street crossings, and no bike lanes.

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The development of an underutilized area in a growing economy is a wonderful thing but it must be done sensibly and with foresight. The Rainy Neighborhood Association is asking for your help in advance of the March 25 council meeting. In particular, we are urging the leaders of this city to:

1. Develop a comprehensive development plan for the Rainey District that takes into account street size, traffic lanes, and emergency vehicle access for all buildings and residents on and around Rainey Street, and
2. Deny requests for density bonuses greater than FARs of 15:1 until that comprehensive plan is completed.

For the sake and safety of Rainey Street's residents and visitors, I hope that you will join us in calling for a moratorium on density bonuses until a comprehensive plan is in place.

Sincerely,

Domingos Tome, Rainey Street Resident"

Street address: 54 RAINEY ST, AUSTIN, TX, 78701

Council District: 9

Note: A copy of this email was sent to all Council Members



## Halley, Shannon

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**From:** Wally Pliszka <[REDACTED]>  
**Sent:** Wednesday, March 17, 2021 1:52 PM  
**To:** [REDACTED]  
[REDACTED]  
[REDACTED]  
**Cc:** Tovo, Kathie; Halley, Shannon  
**Subject:** Rainey Street Density

\*\*\* External Email - Exercise Caution \*\*\*

Next week, City Council will be asked to give exception to three new developments in the Rainey Street District:

- • SP-2019-0465C, River Street to 22:1 FAR
- • SP-2020-0069C, 82-84 North IH 35 (East Avenue) 21:1 FAR
- • SPC – 2020-0121C, 90-92 Rainey St. 32:1 FAR

These, individually and as a group of high-density developments, threaten to build out the Rainey District to an intensity that is unsupportable by its local infrastructure and adds significant safety concerns. An appropriate response to the building boom within the Rainey District must consider the aggregate effects of that boom, to understand what is sustainable within the neighborhood on a holistic basis.

At 15:1 FAR, the new developments that are being approved by Planning without resort to a City Council exception, are already unusually dense (for example, the densest area in the US, Manhattan, has a maximum FAR of 12:1 as well as *significant* subway, bus, and other infrastructure to support the level of density). These new developments should not be approved by City Council.

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**Halley, Shannon**

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**From:** Shell Sullivan <shell.andrew@cityofaustin.gov>  
**Sent:** Thursday, March 18, 2021 10:26 AM  
**Subject:** CALL TO ACTION - RAINEY STREET

\*\*\* External Email - Exercise Caution \*\*\*

Hello,

**I am writing to you because I am a resident on Rainey Street and I am deeply concerned and troubled by the FAR for our Rainey Neighborhood.**

The development in this area has been explosive without a proper comprehensive development plan for the Rainey District. **As a tax paying resident of this district, I want to submit my strong opposition for approval of further developments without a plan for street capacity, transportation, and safety concerns. Three new residential towers far exceeds the capacity of Rainey with its narrow streets and already 13 residential and hotel towers. This should not be approved without this plan.**

Rainey was once a beautiful friendly district now turned chaotic, unsafe and noisy. As our elected representative we are asking you to prioritize your attention on this matter. Rainey needs to be restored to its potential with a comprehensive development plan that addresses the infrastructure needed to support the increasing number of vehicles, buildings and humans in this space.

**As our elected representative we need your URGENT attention to this matter. The specific ASK IS**

- Create a comprehensive development plan for the Rainey District – thus far none has been done.
- Approve NO development with a FAR greater than 15:1 (the current limit) until a comprehensive plan is completed and the plan suggests allowing FARs greater than 15:1. Ensure that the comprehensive development plan considers the street size, traffic lanes and emergency vehicle access for all buildings and residents within Rainey.

Rainey is a wonderful area of Austin Texas and a wonderful area to live - we need your help to ensure we grow in a way that is responsible and ensures everyone's safety!

**Please do the right thing!**

Shell Sullivan

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**Halley, Shannon**

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**From:** Sandra Hardin <[REDACTED]>  
**Sent:** Thursday, March 18, 2021 3:40 PM  
**To:** Tovo, Kathie  
**Subject:** What is the infrastructure PLAN for Austin's explosive growth?

\*\*\* External Email - Exercise Caution \*\*\*

Dear Council Member Tovo,

Many thanks to you and the Mayor for following science and protecting Austinites through this pandemic! And much gratitude to you for your in-depth discussions and compassion for the homeless and mentally ill who struggle to survive in this great city.

The City of Austin has enormous problems facing it as we are predicted by a recent billionaire, to be close to a record setting boom town in the next several years. And the Rainey Street District is a microcosm of what the City Council will be facing if there is no established policy for limiting density bonus developments to **15.1 FAR**. If you start planning for the Rainey Street District now, this could serve as a roadmap for the entire city.

This city simply does not have the **infrastructure** to support the population that will be moving to Austin and living in these high rises. The entire city and this small, condensed Rainey Street District are not equipped to handle more people without a long-term plan. Our streets are narrow with no option for expansion.

It is imperative that you give long term thought relative to utilities, especially after the February deep freeze. The Ullrich Water Treatment Plant generator failed, and not only did no one know how to operate the backup generator, but it is 60 years old and desperately needs an upgrade or total replacement. This is but one small example of what needs to be updated and repaired. And who knows what the Governor, PUC, and Legislature will do to repair the critical grid problem. Clean water supply, sewage, and energy demands will require extensive updates. These demands need to be expanded, examined, and upgraded for the future before we accommodate thousands of more people to live here in high-rises exceeding **15.1 FAR**.

And yes, this will cost millions if not billions of dollars. If developers want to come here because it is so profitable, then they should be paying for all of the city upgrades and services. Developer fees need to increase substantially. While affordable housing as a "community benefit" is most admirable, it appears that the Planning Commission totally overlooks **infrastructure when approving all these plans**. Please establish a comprehensive, long-term plan/policy for the growth of the Rainey Street District and downtown Austin. Meanwhile, please limit **FAR to 15.1**.

This also applies to transportation. Cap Metro recently spoke to our neighborhood association regarding Project Connect. There are virtually no current transit provisions for this neighborhood or the entire city— not to the airport or any to other destination in central Austin. The only plan set forth is 10 to 15 years in the making, and it is still doubtful that Rainey would have easily accessible transportation with their projected plan.

Where is the discussion of the Historic and Water Overlays within the CBD zoning? **90-92 Rainey (requesting 32.1 FAR at 51 stories!)** has just received exuberant approval by the Planning Commission with no discussion of the overlays. 92 Rainey, a bungalow that contributes to the character of the neighborhood will be demolished while instead preserving huge storage containers as part of the design. The Historic and Preservation Commission struggled to preserve the bungalow, however, could not do so as it did not meet the requirements. All they could do, to protest in principle, was to deny the permit to demolish twice. The Design and Planning Commissions need to apply more criteria than just its singular criteria of whether it is blocking the

view of the Capitol. There are many more aspects they should be considering before they put their stamp of approval on any design that comes before them which seems to be the case these days.

Sandy Hardin, District 9

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## Halley, Shannon

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**From:** L Garapedian <[REDACTED]>  
**Sent:** Friday, March 19, 2021 3:51 PM  
**To:** Tovo, Kathie  
**Cc:** Halley, Shannon  
**Subject:** Hello - Rainey District Development

\*\*\* External Email - Exercise Caution \*\*\*

March 19, 2021

Dear Members of the City Council and Mayor Adler,

The residents of the Rainey District have been invited to give their opinion on the proposal that the City Council allow 21:1 Floor Area Ratio (FAR) or greater for pending developments in our neighborhood including for East Tower at 82 East Avenue. **We are against allowing this**, given that no need has been shown for it, and East Tower is one of multiple high-density developments that threaten to overwhelm the local infrastructure. An appropriate response to the building boom in the Rainey District must take into account the cumulative effects of the boom and seek to understand what is sustainable in the neighborhood as a whole.

After extensive discussion with many residents in our neighborhood including during a recent meeting of the Rainey Neighborhood Association, we suggest the following recommendations:

- Pause overdevelopment, and then establish a neighborhood wide master plan anticipating conditions in the future once the Rainey District is fully developed.
- The City Council should hold the line at a FAR of no greater than 15:1.

- Any decision to approve excess development densities should be made only if there has been a determination that the benefits to the public clearly outweigh the costs to the public.
- Any approval must also consider the adequacy of the supporting infrastructure, and the **possible threat to public safety** if firetrucks, police vehicles, and ambulances are not able to enter and exit the neighborhood in a timely manner during emergencies.

Thank you very much for your time and for your ongoing attention to public safety as you move forward with future decisions about development in the Rainey District.

Sincerely,

Lauren Garapedian

Phone #: 512-243-5372

Email: [REDACTED]

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## Rainey Neighborhood Association

February 15, 2021

Dear Members of the City Council and Mayor Adler:

The residents of the Rainey District have been invited to give their opinion on the proposal that the City Council allow exceptions to the Downtown Density Bonus Program under City Code Section 25-2-586(B)(6). In the near future City Council will be asked to give exception to three new developments:

- SP-2019-0465C, River Street to 22:1 FAR
- SP-2020-0069C, 82-84 North IH 35 (East Avenue) 21:1 FAR
- SPC – 2020-0121C, 90-92 Rainey St. 32:1 FAR

We have consulted with the HOAs in the neighborhood and with neighborhood leaders, and are as a group AGAINST allowing any of these exceptions because:

- No need for an exception exists as shown in the City Council meeting conversations during 2014 that established the Downtown Density Bonus Program City Code Section 25-2-586(B)(6).
- These, individually and as a group of high-density developments, threaten to build out the Rainey District to an intensity that is unsupportable by its local infrastructure and adds significant safety concerns.

An appropriate response to the building boom within the Rainey District must consider the aggregate effects of that boom, to understand what is sustainable within the neighborhood on a holistic basis. We make the following recommendations for your consideration:

1. Pause overdevelopment (FAR greater than 15:1), then establish a neighborhood-wide master plan anticipating conditions once the Rainey District is fully built out (the neighborhood organizations have requested this many times before: a Rainey master plan has never been done).
2. Recognize that at 15:1 FAR, the new developments that are being approved by Planning without resort to a City Council exception, are already unusually dense (for example, the densest area in the US, Manhattan, has a maximum FAR of 12:1 as well as significant subway, bus, and other infrastructure to support the level of density).
3. Decisions to approve excess development densities must follow from a determination that the benefit to the public exceeds the costs to the public.
4. The City Council should hold the line at a FAR of NO greater than 15:1.
5. Approvals should consider the adequacy of the supporting infrastructure.
6. Require adequate retail and service use on the ground floor.

We have the following suggestions for a better zoning code for managing very tall buildings within a dense district like Rainey:

1. The establishment of FAR controls on an aggregate basis per block, supported by the right to transfer development rights among adjacent parcels within a common chain of ownership.
2. The establishment of "Tower on a Base" or "Sky Exposure Plane" rules for tall towers, to avoid a canyon effect that put the streetscape in near constant shade.



## Rainey Neighborhood Association

Analysis in support of our recommendations is provided in the Addendum.

Yours truly,

DocuSigned by:

*Michael Abelson*

E5D42523A96C45F

**RNA President, Michael Abelson**

DocuSigned by:

*Staci Livesay*

8F06538F3AB7448

**RNA Communications Director, Staci Livesay**

DocuSigned by:

*Judy Cobb*

3F36188C1735481

**RNA Vice President, Judy Cobb**

DocuSigned by:

*Mike Piehl*

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**RNA Member at Large, Mike Piehl**

DocuSigned by:

*Randall Minick*

C9CEE1D38E4743E

**RNA Secretary, Randall Minick**

## Rainey Neighborhood Association

### ADDENDUM

The Rainey District is a small area with rapidly increasing density occurring with no master plan, subject only to an ad hoc property-by-property approval process. There is an acute need to establish controls on development before overdevelopment becomes an irreversible condition. This should be followed promptly by the development of a neighborhood-wide master plan which anticipates how the neighborhood will function once it is fully built out.

**RECOMMENDATION: PAUSE OVERDEVELOPMENT, THEN ESTABLISH A NEIGHBORHOOD-WIDE MASTER PLAN ANTICIPATING CONDITIONS ONCE THE RAINEY DISTRICT IS FULLY BUILT OUT.**

The Rainey District is zoned to allow eight square feet of building per square foot of land, which is a Floor Area Ratio (FAR) of 8:1. In exchange for providing certain defined public benefits such as funds for affordable housing, plazas or green building practices, the City's Density Bonus Program allows the Planning and Zoning Department to approve density up to 15:1 FAR. Beyond that, following Planning Commission approval the City Council may approve density up to any level, without limitation. There is no requirement that the developer demonstrate hardship or need for the excess density it seeks.

*The 15:1 FAR limit itself is among the densest anywhere in the United States.* Consider that in Manhattan, which has the densest built environment in the country, the highest density zone is R-10 which allows 10:1 FAR increasable to 12:1 FAR per a hard limit under State law. The 20% increase is allowed in exchange for public benefits similar to those that get awarded under the Density Bonus Program (the DBP) of Austin such as affordable housing, public plazas, community facilities, etc. That maximum NYC zone (Zone R-10) is only mapped along Avenues and wide streets (75 feet or wider) in the core areas of Manhattan, near subway lines and along streets that are served by many buses per hour.

For smart growth, mass transit must accompany mass density. Otherwise, an unworkable snarl of traffic results.

Aside from providing the mass transit means to limit car traffic, parking is discouraged in Manhattan by including above-grade parking in the FAR limits. Hence parking is built very expensively, underground, so it has become too expensive for most Manhattanites to own a car. In Austin, above grade parking does not count toward FAR utilization so bigger buildings are allowed in Austin for a given nominal FAR, verses NY. As parking is relatively cheap to produce and attain in Austin, car use is in favor as a sensible way to get around where there is little mass transit, such as Rainey. Rainey will have more traffic than NY at a similar FAR.

In Manhattan, the narrower side streets all have a less dense zoning classification, and most block frontage predominantly faces the side streets rather than the wider Avenues, so no Manhattan block is zoned as high as 10:1 FAR. Density may be transferred among lots in a common chain of ownership on a given block, and more narrow towers may be built on a wider base to a building (tower coverage limited to 40% of the overall lot) which is why tall buildings are built in Manhattan even while maintaining a much more moderate density per block and within a given neighborhood than the Rainey District is now on track to have.

## Rainey Neighborhood Association

To better understand what 15:1 FAR looks like in Austin, consider that the tallest building in Austin (the Independent/Jenga Tower) and the tallest building in the Rainey District (70 Rainey) each have an FAR below 15:1.

**RECOMMENDATION: RECOGNIZE THAT AT 15:1 FAR, THE NEW DEVELOPMENTS BEING APPROVED BY PLANNING WITHOUT CITY COUNCIL EXCEPTIONS ARE ALREADY UNUSUALLY DENSE.**

**CONSIDER: THE ESTABLISHMENT OF FAR CONTROLS ON AN AGGREGATED BASIS PER BLOCK, SUPPORTED BY THE RIGHT TO TRANSFER DEVELOPMENT RIGHTS AMONG ADJACENT PARCELS IN A COMMON CHAIN OF OWNERSHIP.** That allows for tall buildings while ensuring that the density on any given block does not overwhelm the local street and utility systems serving that block.

**CONSIDER: THE ESTABLISHMENT OF "TOWER ON A BASE" OR "SKY EXPOSURE PLANE" RULES FOR TALL TOWERS.** These ensure that very tall buildings cannot rise uninterrupted from the street plane but must instead set back as they get higher. That allows sunshine to reach the street when the sun is not directly overhead, to avoid creating a canyon effect from tall straight building walls built tight to the street line. Note that the proposed development of 90-92 Rainey Street achieves its extreme density by building the site out almost fully, straight up to its 602-foot roof. That will put everything around it into shade, which is an unfair externality of the density sought there.

Building approvals to the maximum allowable per the Density Bonus Program of Austin (the DBP) are easy to come by because the DBP awards for benefits provided per an administrative formula, without any counterbalancing consideration of the costs, particularly to direct neighbors and the surrounding neighborhood. Everyone agrees that benefits awarded under the DBP have merit, but the countervailing costs to the neighboring stakeholders must also be weighed in decision making. Under a formula where costs and externalities are invisible per the formula used to assess a development's merit, only benefits remain in consideration so every large building, no matter how massive, ends up being judged to be purely beneficial.

**RECOMMENDATION: DECISIONS TO APPROVE EXCESS DEVELOPMENT DENSITIES (UP TO 15:1 FAR) MUST FOLLOW FROM A DETERMINATION THAT THE BENEFIT TO THE PUBLIC EXCEEDS THE COSTS TO THE PUBLIC.**

Following the rapid property appreciation of recent years, the cost to acquire excess density through the DBP formula has fallen way below the market value of those excess development rights. For example, developers are being awarded the right to increase their density by dozens and sometimes hundreds of housing units, in exchange for financial contributions equal to the market value of but one or two condo units. Hence developers are strongly motivated to max out their density requests.

What it means to max out on density is poised to now shift, dramatically. Until quite recently, developers understood the limit to be 15:1 FAR. For example, the projects within Rainey that are now under construction have this density:



## Rainey Neighborhood Association

Project	Approved	Units	Stories	Height (Feet)	Acres	Units/ Acre	FAR
The Quincey (91 Red River St.)	2018	347	30	326	0.74	469	14.1
Nativo Austin (48 East Ave.)	2016	249	33	369	0.41	607	15.0
44 East Avenue Condos	2019	322	49	570	0.67	481	15.0

Yet local developers have noticed that the City Planning and Zoning Department and the Planning Commission both are willing to recommend and approve whatever density developers put forth within Rainey, provided that the developers build green and contribute toward affordable housing. This stems from the practice of focusing solely on the benefits provided via the DBP, with no consideration of the costs considered. Noticing this, the developers have upped the ante in a big way on what density they request.

There are now three proposed projects that are so dense that the City Council is being asked to approve them this quarter. These are:

Project	City Council Approval Sought During:	Units	Stories	Height (Feet)	Acres	Units/ Acre	FAR
East Tower – 82-84 East Avenue	Q1 '21	284	41	450	0.41	701	21.0
River St. Residences (60 East Ave.)	Q1 '21	409	48	569	0.50	818	21.4
90-92 Rainey Street	Q1 '21	446	51	602	0.37	1,214	32.0

If the City Council approves these projects, which have two to three times the allowable density of the densest areas of Manhattan, it should be expected that most other Rainey District developers will seek to maximize their own profits with similar density. This will become the new normal. The fact that the mapped density baseline in Rainey is 8:1 FAR will become a distant, irrelevant memory. Once built out, Rainey will become so snarled traffic that there will be no way to engineer around it.

### **RECOMMENDATION: CITY COUNCIL SHOULD HOLD THE LINE AT 15:1 FAR.**

The Rainey District is a boxed-in peninsula with neither through streets nor a rectangular street grid. Its mobility is penned in by IH 35, Lady Bird Lake and the Waller Creek. There are but a few ways in or out, on short streets that terminate in a block or two.

## Rainey Neighborhood Association

Neighborhood infrastructure remains more reflective of Rainey's recent single-family roots, and it was never upgraded to be appropriate for high density development. The neighborhood infrastructure was originally composed of single-family homes built mostly in the 1920's, and it retained that dominant density until several years after being rezoned CBD in 2004. In 2000 its census population was only 702, and by 2010 it had become only 1,357. Predominant density during its single-family phase was approximately 5-7 units per acre. Note that the proposed 446-unit development at 90-92 Rainey was, in recently memory, the site of two houses. That is a 22,300% increase in housing units-yet the street that serves this remains narrow and but three blocks long, even though it is the longest continuous street within Rainey.

The streets within Rainey are narrow. Driskill Street and Davis Street which are each 30 feet wide, Red River Street and River Street which are 40 feet wide, and Rainey Street which is 38 feet wide. In comparison, urban streets that accommodate high rise development in other U.S. cities are usually 75 feet wide or more. The narrowness of Rainey's streets will be problematic for the staging of construction equipment and materials during the upcoming skyscraper construction boom and may eventually not be up to task for accommodating all of the Amazon and other service delivery load of such a heavy population. Fire trucks and ambulances may fail to get past the snarl of traffic that can be expected fast enough to save people in need.

The Cities in the U.S. with a high rise downtown (NY, Chicago, Boston, San Francisco, Denver, etc.) restrict their highest density zoning to those areas well served by mass transit. Yet the Rainey District has no mass transit at all, with no trains or buses entering its peninsula.

The Rainey District is on a path to be built out so densely, on few but narrow streets, that the introduction of buses has already been deemed by Cap Metro to be impractical due to the narrow streets, a lack of places to run them, stops for pickups. No rail is projected to enter the Rainey District either, per Project Connect.

The City has been rapidly approving new developments within Rainey with a huge number of parking spaces per acre, apparently without any consideration of whether the local road system can accommodate the resulting traffic flow when the area gets built out to the density level that the City has been green lighting. Likewise, there is no examination in this neighborhood as to whether the other infrastructure systems of this previously low-density neighborhood can handle the radically increased usage load. This includes the sewerage, stormwater, drinking water, telecom, and local school systems.

The traffic recommendations of the Rainey Neighborhood Mobility Study and Plan published in May 2017 and sponsored by CM Tovo with its accurate traffic counts has been ignored. The traffic study completed by ATD, published in Dec. 2020, did not consider any of the Rainey District south of River Street. *Both studies assumed FAR no greater than 15:1.*

Ad hoc site-specific approvals that do not consider the adequacy of neighborhood infrastructure and the cumulative effect of a series of such approvals throughout a small neighborhood may end up very badly.

**RECOMMENDATION: APPROVALS SHOULD CONSIDER THE ADEQUACY OF THE SUPORTING INFRASTRUCTURE.**

## Rainey Neighborhood Association

The area has many bars, a few restaurants but virtually no retail or service business space. There is but one small convenience-type grocery store in the area. Little retail is programmed within the proposed new developments either. The City does not require it or actively encourage it. This contrasts with Manhattan, Chicago, San Francisco, Boston and other successfully high-rise cities where the street level is lined with retail, allowing people to meet their needs on foot. Rainey residents must drive to shop, but the area is on track for such traffic density that this will be difficult to do.

### **RECOMMENDATION: REQUIRE ADEQUATE RETAIL AND SERVICE USE ON THE GROUND FLOOR**

The population on this mobility-constrained peninsula will soon be so high that many services will be needed locally. If high rise towers are built on small sites without retail stores in their original design it may be impossible to add them afterward, as the small ground floor footprints have been devoted to the lobbies and garage entrances needed to service the high population of these very dense buildings.

## Halley, Shannon

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**From:** Donald Eckhardt <[REDACTED]>  
**Sent:** Monday, March 22, 2021 11:14 AM  
**To:** Tovo, Kathie  
**Cc:** Halley, Shannon; [REDACTED]  
**Subject:** Rainey District; Opposition to exemptions; Safety concerns

\*\*\* External Email - Exercise Caution \*\*\*

Austin City Council

301 W. Second Street, Second Floor

Austin, TX 78701

Re: *Rainey District*; SP-2019-0465C, River Street to 22:1 FAR;

SP-2020-0069C. 82-84 North IH 35 (East Avenue) 21:1 FAR

SPC-2020-0121C, 90-92 Rainey St., 32:1 FAR

Dear Members of the City Council and Mayor Adler:

You have been contacted by the Rainey Neighborhood Association ("RNA") in opposition to proposals that the City Council allow exemptions to the Downtown Density Bonus Program regarding three new developments in the Rainey District (identified in the caption). We are writing this letter to **strongly** express our **safety** concerns and to support the RNA's requests that the City Council:

1. Pause overdevelopment (FAR greater than 15:1), then establish a neighborhood-wide master plan anticipating conditions once the Rainey District is fully built out (the neighborhood organizations have requested this many times before: a Rainey master plan has never been done). **The comprehensive development plan should consider street size, traffic lanes, and emergency access for all buildings and residents within Rainey.**
2. Recognize that at 15:1 FAR, the new developments that are being approved by Planning without resort to a City Council exception, are already unusually dense (for example, the densest area in the US, Manhattan, has a



maximum FAR of 12:1 as well as significant subway, bus, and other infrastructure to support the level of density).

3. Decisions to approve excess development densities should follow from a determination that the benefit to the public exceeds the costs to the public.
4. The City Council should hold the line at a FAR of NO greater than 15:1.
5. Approvals should consider the adequacy of the supporting infrastructure.
6. Require adequate retail and service use on the ground floor.

If the exemptions are approved, you will be allowing the existence of an extremely hazardous traffic quagmire in the Rainey District (which is a peninsula boxed-in by I 35, Lady Bird Lake, and Waller Creek). There are few ways in or out on short, narrow streets. Emergency access for ambulances and fire trucks will be dangerously impeded; residents could sustain serious injuries, or even death, if these vehicles cannot respond in a timely manner. A high-rise inferno could result in multiple injuries and deaths. *Public safety* is the foremost responsibility of this Council.

Please protect the men, women, and *children* of the Rainey District!!

With very best wishes,

Don Eckhardt and Pati Mengden

54 Rainey St.; (Milago)

Austin, TX 78701

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## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Monday, March 22, 2021 12:47 PM  
**To:** Tovo, Kathie  
**Subject:** Density and Development Plan for Rainey

This message is from Robert Beauchamp. [ beauchamp[REDACTED] ]

"Dear Council Members,

You will be making an important decision on March 25 on whether to grant density bonuses to new developments on Rainey Street. Developers of three separate parcels are requesting increases to floor area ratios (FAR) of up to 32:1. To put that in perspective, the FAR limit for Manhattan is 12:1! And to further drive home the point, Manhattan (being designed for high-density living) has extensive public transportation and robust infrastructure. By comparison, the Rainey Street district was formerly a community of small bungalows; there is no public transportation, limited sidewalks, no street markings to guide safe street crossings, and no bike lanes.

As you know, Rainey Street has been under constant development for several years with little or no improvements to infrastructure, traffic mitigation issues, or safety. It is already home to four residential condo towers (some with over 30 stories), three apartment towers (some with over 30 stories), three large hotels, dozens of bars and restaurants, and the soon-to-be expanded Mexican American Cultural Center. There are also three more residences currently under construction on or near Rainey Street, with one planned to have almost 50 stories.

The development of an underutilized area in a growing economy is a wonderful thing but it must be done sensibly and with foresight. The Rainy Neighborhood Association is asking for your help in advance of the March 25 council meeting. In particular, we are urging the leaders of this city to:

1. Develop a comprehensive development plan for the Rainey District that takes into account street size, traffic lanes, and emergency vehicle access for all buildings and residents on and around Rainey Street, and
2. Deny requests for density bonuses greater than FARs of 15:1 until that comprehensive plan is completed.

FOR THE SAKE AND SAFETY OF RESIDENT AND VISITORS, I hope that you will join us in calling for a moratorium on density bonuses until a comprehensive plan is in place.

There are two main ways in and out of our neighborhood. As it is now, it is very difficult to enter or exit our place on weekend nights due to traffic, pedestrian, and scooters darting into the streets. Adding more density will make this a problem full time and in case of an emergency, I am not sure how we would get in or out or have emergency vehicles respond timely. As it is now, is is only a matter of time before someone is killed due to the current traffic/pedistrian situation. Please take time to do this the right way.

Sincerely,

Karen Beauchamp  
Owner at Milago Condominiums

Street address: 54 Rainey Street

**Council District: 9**

**Note: A copy of this email was sent to all Council Members**

## Halley, Shannon

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**From:** Georgeann Cissel Taylor <[REDACTED]>  
**Sent:** Monday, March 22, 2021 1:55 PM  
**To:** Tovo, Kathie  
**Cc:** Halley, Shannon  
**Subject:** Rainey District Proposed Development - Exception to FAR Limit

\*\*\* External Email - Exercise Caution \*\*\*

Dear Council Member Tovo,

I am a graduate of the University of Texas and have been a resident of Austin since 1999. I love Austin and for many years, felt that the city was striking the right balance regarding development and protecting the quality of life that has been at the heart of Austin's appeal. Over the last several years, I have seen this balance erode in favor of unabashed and rampant development, particularly in historic and vulnerable areas of the city. As a result, I have lost confidence in the city government at all levels to make decisions that protect residents' quality of life.

Of the many issues that concern me, I consider the development in the Rainey Street district to be one of the most urgent and consequential to the future of downtown Austin. I have been an owner of a condominium in the Milago building since 2014 and since that time, multiple high-rise buildings have been constructed with many more currently under development and in the planning stages. At the same time, there is been NO corresponding improvement in infrastructure especially related to traffic and green space considerations. The planning commission and the city council have approved this development despite the very legitimate concerns raised by residents of the Rainey Street district, the Rainey Neighborhood Association, and other respected city planning experts.

I am now appalled to learn that the planning commission has recommended for approval further development in the Rainey District that would go far beyond the current legal Floor to Area ratio (FAR) limit of 15:1.

- River Street Residence = 22:1 FAR
- 84 East Ave = 21:1 FAR
- 90-92 Rainey = 32:1 FAR

There should be no reason for the City Council to grant such an exception given that the FAR limit was established following an extensive study/plan related to downtown development. The argument that the smaller lots in downtown demand consideration of an exception to this limit is nonsensical. There has been no comprehensive study of the impact of the aggregate development in the Rainey District that would support granting any exception to the limit.

What is the end game here? Who is profiting and benefiting from setting aside the legal limit and disregarding the future quality of life of residents in and around the Rainey district?

The City Council must vote NO on the FAR exceptions being considered. There should no new development approved with a FAR greater than 15:1 until a comprehensive plan for the Rainey District is completed which studies the impact of increasing the FAR and the mitigations required to

maintain (and improve) the quality of life/experience, not just for residents of the district but for the many thousands of locals and visitors who frequent the district's hotels, restaurants and bars.

Respectfully,  
Georgeann Cissel

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**Halley, Shannon**

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**From:** Pat Kirkland <[REDACTED]>  
**Sent:** Monday, March 22, 2021 2:07 PM  
**To:** Tovo, Kathie  
**Subject:** Protect Rainey Street

\*\*\* External Email - Exercise Caution \*\*\*

Dear Kathie Tovo,

The Austin City Council will be making an important decision on March 25 on whether to grant density bonuses to new developments on Rainey Street. Developers of three separate parcels are requesting increases to floor area ratios (FAR) of up to 32:1. To put that in perspective, the FAR limit for Manhattan is 12:1! And to further drive home the point, Manhattan (being designed for high-density living) has extensive public transportation and robust infrastructure. By comparison, the Rainey Street district was formerly a community of small bungalows; there is no public transportation, limited sidewalks, no street markings to guide safe street crossings, and no bike lanes.

As you know, Rainey Street has been under constant development for several years with little or no improvements to infrastructure, traffic mitigation issues, or safety. It is already home to four residential condo towers (some with over 30 stories), three apartment towers (some with over 30 stories), three large hotels, dozens of bars and restaurants, and the soon-to-be expanded Mexican American Cultural Center. There are also three more residences currently under construction on or near Rainey Street, with one planned to have almost 50 stories.

The development of an underutilized area in a growing economy is a wonderful thing but it must be done sensibly and with foresight. The Rainy Neighborhood Association is asking for your help in advance of the March 25 council meeting. In particular, we are urging the leaders of this city to:

1. Develop a comprehensive development plan for the Rainey District that takes into account street size, traffic lanes, and emergency vehicle access for all buildings and residents on and around Rainey Street, and
2. Deny requests for density bonuses greater than FARs of 15:1 until that comprehensive plan is completed.

For the sake and safety of Rainey Street's residents and visitors, I hope that you will join us in calling for a moratorium on density bonuses until a comprehensive plan is in place.

Sincerely,

Pat Kirkland  
Rainey Street Resident

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## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Monday, March 22, 2021 6:48 PM  
**To:** Tovo, Kathie  
**Subject:** Rainy street towers

This message is from A Ginger Hurst. [REDACTED]

The builders of these proposed towers should be required to invest in city parks and open spaces to compensate for the impervious cover requirements that they would be neglecting.  
also I wonder how long affordable housing Remains affordable over time.

Street address: 3512, Greenway St

Council District: 9



## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Monday, March 22, 2021 8:38 PM  
**To:** Tovo, Kathie  
**Subject:** Approve residential towers near Rainey St

This message is from Justus Timmers. [REDACTED]

Hello Kathie,

I am a PhD candidate in Economics at UT Austin, and I live downtown. I love my apartment, but with all the excitement about Austin my apartment will be unaffordable. Next academic year, my stipend stays flat for the fifth year straight, but my rent will rise by \$700/month. The 2004 mid-rise apartment I live, AMLI Downtown, will be filled with professionals whose budgets I cannot match and whose highrises elsewhere have not been built.

This is the problem I would like to talk to you about. Their issue, and now my source of anxiety, is that the housing that their budget allows has not been built yet. My apartment (AMLI Downtown) has had a record low inventory. JP Morgan, who owns the apartment complex, applies a simple algorithm: fewer empty apartments results in higher rents. Conversely, more units, the lower my rent. And without new-builts, units are scarce.

Even if you approve the Rainey Street apartments tomorrow, my rent next year will be unaffordable. I know that. Yet, I strongly urge you to approve the Rainey Street apartments. It's too late for me. It's not too late for the excellent first-year cohort of PhD students at UT Austin when they reach my stage.

In 2025, I hope the keen new PhD students can move to downtown and get to experience all the joys that I did and run next to the river while taking a break from their research. And when they do, I hope that I can tell them that Kathie Tovo approved new apartments, which opened up older apartments for them to live in the downtown of the city we love. Please approve the residential towers near Rainey St.

Thank you for your time,  
Justus Timmers

Street address: 201 Lavaca St, Apt 718

Council District: 9

## Halley, Shannon

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**From:** noreply@coadigital.onbehalf.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalf.austintexas.gov>  
**Sent:** Tuesday, March 23, 2021 10:39 AM  
**To:** Tovo, Kathie  
**Subject:** March 25 Items 34 & 74

This message is from Spencer Duran. [ spencer-

Council Member Kathie Tovo,

I am writing to convey my support for Items 34 and 74 that appear on the March 25th Council Agenda. I am not affiliated with either of these proposed projects in any way. I am, however, someone who is very concerned about the lack of housing options in Austin. I urge you to support both of these projects as they further the development of housing in a walkable neighborhood and create on-site and off-site income-restricted housing. We are in desperate need of more affordable and market-rate housing. I urge you to support these projects.

Thank you for your time and consideration.

-Spencer

Street address: 300 N Lamar

Council District: 9

## Halley, Shannon

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**From:** Kerstin Wurst <[REDACTED]>  
**Sent:** Tuesday, March 23, 2021 1:30 PM  
**To:** Tovo, Kathie  
**Cc:** Halley, Shannon  
**Subject:** Concerns about the Proposed FAR

\*\*\* External Email - Exercise Caution \*\*\*

Dear Ms Tovo,

The Austin City Council will be making an important decision on March 25 on whether to grant density bonuses to new developments on Rainey Street. Developers of three separate parcels are requesting increases to floor area ratios (FAR) of up to 32:1. To put that in perspective, the FAR limit for Manhattan is 12:1! And to further drive home the point, Manhattan (being designed for high-density living) has extensive public transportation and robust infrastructure. By comparison, the Rainey Street district was formerly a community of small bungalows; there is no public transportation, limited sidewalks, no street markings to guide safe street crossings, and no bike lanes.

As you know, Rainey Street has been under constant development for several years with little or no improvements to infrastructure, traffic mitigation issues, or safety. It is already home to four residential condo towers (some with over 30 stories), three apartment towers (some with over 30 stories), three large hotels, dozens of bars and restaurants, and the soon-to-be expanded Mexican American Cultural Center. There are also three more residences currently under construction on or near Rainey Street, with one planned to have almost 50 stories.

The development of an underutilized area in a growing economy is a wonderful thing but it must be done sensibly and with foresight. The Rainy Neighborhood Association is asking for your help in advance of the March 25 council meeting. In particular, we are urging the leaders of this city to:

1. Develop a comprehensive development plan for the Rainey District that takes into account street size, traffic lanes, and emergency vehicle access for all buildings and residents on and around Rainey Street, and
2. Deny requests for density bonuses greater than FARs of 15:1 until that comprehensive plan is completed.

I will explain to you from my personal experience living on Rainey Street currently. Most recently, my husband and I used a ride sharing service to drive back home from a friends house up north. As usually, the driver exited I-35 at Holly and Cesar Chavez and drove down the frontage road. There was already a line of cars almost to the entrance of the Homewood Suites hotel waiting to get into Rainey Street. We waited till it was safe for us to leave the car on the frontage road, because it was faster for us to walk the rest of the way home. I just want you to get a sense of how the situation already is every weekend on Rainey Street with 3 other huge building under construction.

Before you cast your vote again to expand the area, I want you to think about, when was the last time you went to the Rainey area and do the following:

1. Drive down Cesar Chavez from West Austin in the morning and afternoon rush hour and turn right at the signal into Red River Street
2. Drive down Cesar Chavez from East Austin in the morning and afternoon rush hour and turn left at the signal into Red River Street

3. Visit Rainey Street on a Saturday evening and walk down the street from Driskill Street to River Street (or the other way around)

While you do all the things described above, please think about the following:

1. In a case of emergency, how fast could the needed help be at this place. A fire breaks out, is it possible for the big firetrucks to navigate through the street full of people. Someone having a medical emergency and needs immediate help. There is an active shooter incident.
2. With 3 additional construction sites, how dense would be the street until the finished buildings are up.
3. How is the traffic in and out Rainey impacted by the new offices, new residents, future residents, visitors.

For the sake and safety of Rainey Street's residents and visitors, I hope that you will join us in calling for a moratorium on density bonuses until a comprehensive plan is in place.

Sincerely,

Kerstin Wurst, Rainey Street Resident

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## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Tuesday, March 23, 2021 7:03 PM  
**To:** Tovo, Kathie  
**Subject:** Population Density Concerns (Rainey)

This message is from Rob Beauchamp. [REDACTED]

I have been a happy downtown home owner for years. As new buildings have been built and occupied over the past couple of years, there is a noticeable difference in the frequency of foot, scooter, bike and auto traffic on streets that were never intended for this kind of volume. Not only am I concerned for others (and my) safety when trying to navigate the narrow streets, but am especially concerned about the approved (and proposed) additional buildings to the area. I'm a huge fan of dense housing, but the proposals that are in-process are irresponsible and short-sighted. Please make thoughtful decisions regarding the use of land, thoroughfares, utilities, amenities and continually-growing property values. Too much density will result in an embarrassment in proper city planning. Let's be a city that is a model for others that has the right mix of density and livability!

Street address: 54 Rainey St

Council District: 9

Note: A copy of this email was sent to all Council Members

## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Tuesday, March 23, 2021 9:52 PM  
**To:** Tovo, Kathie  
**Subject:** Approve plans for more housing on Rainey

This message is from Brian Poteet. [REDACTED]

Mayor, Mayor Pro Tem, and Council Members:

Please approved items 34, 74, and 82 on the agenda this week. The city is behind on its housing goals at all affordability levels, and further delaying these projects will cause us to fall even further behind. Those that live in downtown are far less likely to drive, which is another great reason we should let as many people live in the Rainey neighborhood as possible. Lastly, each of these towers will bring in a ton of tax revenue for decades to come, which can of course be used to address the many challenges the city faces.

Best regards,  
Brian Poteet

Street address: 405 W NORTH LOOP BLVD, AUSTIN, TX, 78751

Council District: 9

Note: A copy of this email was sent to all Council Members

## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Tuesday, March 23, 2021 10:49 PM  
**To:** Tovo, Kathie  
**Subject:** Support the Rainey FAR density bonus requests

This message is from Eric G Englert. [REDACTED]

It's imperative you support the River Street Residences, 84 East Avenue, and 90-92 Rainey FAR increase requests. Our housing supply is facing incredible strain and it's flat-out immoral to vote against the construction of more housing in the Central Business District where this kind of construction is more than appropriate. With the coming CapMetro station at Rainey and further enhanced public transit service, it's imperative that density and walkability be emphasized as the city works to lower our carbon footprint. This is a question between paving over our precious Hill Country for tract housing or allowing people to live, work, and play in a sustainable, connected way.

Street address: 360 Nueces St

Council District: 9



## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Wednesday, March 24, 2021 11:46 AM  
**To:** Tovo, Kathie  
**Subject:** Support for items 34, 74 and 82

This message is from Dustin Louderback. [REDACTED]

I highly support item 82 related to density bonus for 9092 Rainey condominium project. With the influx of people moving to Austin we have a housing crisis. I support housing that isn't vehicular dependent. By approving this density bonus we are creating a more walkable city

Street address: 4100 LAWLESS ST, AUSTIN, TX, 78723

Council District: 9

Note: A copy of this email was sent to all Council Members

## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Wednesday, March 24, 2021 1:21 PM  
**To:** Tovo, Kathie  
**Subject:** 90 Rainey Project Support

This message is from Emily Johnson. [REDACTED]

To whom it may concern,

I am writing to you as an Austin Real Estate agent who is in huge support of 90 Rainey. The Austin Housing Market is in DIRE need of more homes due to the current lack of supply. With influx from all over the country- especially New York and California, demand for homes is very high. There is no doubt that 90 Rainey will be helpful to the Austin housing market.

Street address: 1210 WINDSOR RD, AUSTIN, TX, 78703

Council District: 9

Note: A copy of this email was sent to all Council Members

## Halley, Shannon

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**From:** noreply@coadigital.onbehalfof.austintexas.gov on behalf of City of Austin  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Wednesday, March 24, 2021 2:38 PM  
**To:** Tovo, Kathie  
**Subject:** Item 82, 90 Rainey

This message is from Elizabeth Adams. [ elizabeth\_ ]

I am support of 90 Rainey. Density belongs with density and it will be a beautiful building and great addition to Rainey Street.

Street address: 1709 W 29TH ST, AUSTIN, TX, 78703

Council District: 10

Note: A copy of this email was sent to all Council Members

## Halley, Shannon

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**From:** Donald Eckhardt <[REDACTED]>  
**Sent:** Monday, March 22, 2021 11:14 AM  
**To:** Tovo, Kathie  
**Cc:** Halley, Shannon; [REDACTED]  
**Subject:** Rainey District; Opposition to exemptions; Safety concerns

\*\*\* External Email - Exercise Caution \*\*\*

Austin City Council

301 W. Second Street, Second Floor

Austin, TX 78701

Re: ***Rainey District***; SP-2019-0465C, River Street to 22:1 FAR;

SP-2020-0069C. 82-84 North IH 35 (East Avenue) 21:1 FAR

SPC-2020-0121C, 90-92 Rainey St., 32:1 FAR

Dear Members of the City Council and Mayor Adler:

You have been contacted by the Rainey Neighborhood Association (“RNA”) in ***opposition*** to proposals that the City Council allow exemptions to the Downtown Density Bonus Program regarding three new developments in the Rainey District (identified in the caption). We are writing this letter to ***strongly*** express our ***safety*** concerns and to support the RNA’s requests that the City Council:

1. Pause overdevelopment (FAR greater than 15:1), then establish a neighborhood-wide master plan anticipating conditions once the Rainey District is fully built out (the neighborhood organizations have requested this many times before: a Rainey master plan has never been done). **The comprehensive development plan should consider street size, traffic lanes, and emergency access for all buildings and residents within Rainey.**
2. Recognize that at 15:1 FAR, the new developments that are being approved by Planning without resort to a City Council exception, are already unusually dense (for example, the densest area in the US, Manhattan, has a

maximum FAR of 12:1 as well as significant subway, bus, and other infrastructure to support the level of density).

3. Decisions to approve excess development densities should follow from a determination that the benefit to the public exceeds the costs to the public.
4. The City Council should hold the line at a FAR of NO greater than 15:1.
5. Approvals should consider the adequacy of the supporting infrastructure.
6. Require adequate retail and service use on the ground floor.

If the exemptions are approved, you will be allowing the existence of an extremely hazardous traffic quagmire in the Rainey District (which is a peninsula boxed-in by I 35, Lady Bird Lake, and Waller Creek). There are few ways in or out on short, narrow streets. Emergency access for ambulances and fire trucks will be dangerously impeded; residents could sustain serious injuries, or even death, if these vehicles cannot respond in a timely manner. A high-rise inferno could result in multiple injuries and deaths. **Public safety** is the foremost responsibility of this Council.

Please protect the men, women, and *children* of the Rainey District!!

With very best wishes,

Don Eckhardt and Pati Mengden

54 Rainey St.; (Milago)

Austin, TX 78701

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**Halley, Shannon**

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**From:** Shell Sullivan <shell.andrew[REDACTED]>  
**Sent:** Thursday, March 18, 2021 10:26 AM  
**Subject:** CALL TO ACTION - RAINEY STREET

\*\*\* External Email - Exercise Caution \*\*\*

Hello,

**I am writing to you because I am a resident on Rainey Street and I am deeply concerned and troubled by the FAR for our Rainey Neighborhood.**

The development in this area has been explosive without a proper comprehensive development plan for the Rainey District. **As a tax paying resident of this district, I want to submit my strong opposition for approval of further developments without a plan for street capacity, transportation, and safety concerns. Three new residential towers far exceeds the capacity of Rainey with its narrow streets and already 13 residential and hotel towers. This should not be approved without this plan.**

Rainey was once a beautiful friendly district now turned chaotic, unsafe and noisy. As our elected representative we are asking you to prioritize your attention on this matter. Rainey needs to be restored to its potential with a comprehensive development plan that addresses the infrastructure needed to support the increasing number of vehicles, buildings and humans in this space.

**As our elected representative we need your URGENT attention to this matter. The specific ASK IS**

- Create a comprehensive development plan for the Rainey District – thus far none has been done.
- Approve NO development with a FAR greater than 15:1 (the current limit) until a comprehensive plan is completed and the plan suggests allowing FARs greater than 15:1. Ensure that the comprehensive development plan considers the street size, traffic lanes and emergency vehicle access for all buildings and residents within Rainey.

Rainey is a wonderful area of Austin Texas and a wonderful area to live - we need your help to ensure we grow in a way that is responsible and ensures everyone's safety!

**Please do the right thing!**

Shell Sullivan

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**Halley, Shannon**

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**From:** Ted Glassman <[REDACTED]>  
**Sent:** Monday, March 22, 2021 11:54 PM  
**To:** Katie.Tovo@austintexas.gov; Halley, Shannon  
**Subject:** RAINEY STREET DISASTER

\*\*\* External Email - Exercise Caution \*\*\*

Hello:

Will this be your legacy? Overbuilding in a small area? No infrastructure to support?  
I guess you imagine you are a 'city planner.'  
You're not !

Remember, when EMS or the fire department is delayed and people suffer because of absurd congestion it will be your fault.

Voters understand your allegiance is to developer money -- and not to the citizens and residents of the Rainey District.

Do better !  
Voters are watching.  
Tax revenue will not be what you hope.  
Voters are watching and they will remember.

Sincerely,  
Ted Glassman

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## Halley, Shannon

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**From:** Richard Delaney <[REDACTED]>  
**Sent:** Friday, March 12, 2021 1:51 PM  
**To:** Halley, Shannon  
**Subject:** Re: Re-scheduled Council Meeting / proposed new hi-rises

Thanks, Shannon. Like I said earlier, I did write to each and every Council member with the same text AND copied each Chief of Staff as well. Can I therefore assume the 'scanning' will incorporate those emails sent to others not just Ms. Tovo ? Yes ?  
Thanks so much once more.

On Friday, March 12, 2021, 2:07:59 PM EST, Halley, Shannon <shannon.halley@austintexas.gov> wrote:

Hi Richard,

I am planning to scan all the emails so that the packet can be uploaded in back-up.

Thank you for reaching out!

Best,  
  
Shannon

Shannon Halley  
Senior Policy Advisor  
Office of Council Member Kathie Tovo, District 9  
512-978-2198 : [Shannon.Halley@austintexas.gov](mailto:Shannon.Halley@austintexas.gov)  
<http://www.austintexas.gov/departments/district-9>



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**From:** Richard Delaney <[REDACTED]>  
**Sent:** Friday, March 12, 2021 12:35 PM  
**To:** Halley, Shannon <shannon.halley@austintexas.gov>  
**Subject:** Fw: Re-scheduled Council Meeting / proposed new hi-rises

\*\*\* External Email - Exercise Caution \*\*\*

Shannon, realizing the recent storm impacted all work at City Hall, and that Rainey Street residents were asked to 'temporarily hold-off' any more email on this FAR matter, can I be assured that all the emails I sent before the storm (such as below) have been at least collected in reference to the now-rescheduled meeting later this month ??

Or, do I have to send all of the over again (to each council person + C/Staff) ???

Any insight here would be great. Thanks.

Richard Delaney

----- Forwarded Message -----

**From:** Richard Delaney <[REDACTED]>  
**To:** [Kathie.Tovo@austintexas.gov](mailto:Kathie.Tovo@austintexas.gov) <[kathie.tovo@austintexas.gov](mailto:kathie.tovo@austintexas.gov)>  
**Cc:** [Shannon.halley@austintexas.gov](mailto:Shannon.halley@austintexas.gov) <[shannon.halley@austintexas.gov](mailto:shannon.halley@austintexas.gov)>  
**Sent:** Monday, February 15, 2021, 6:52:53 PM EST  
**Subject:** This Thursday's Council Meeting / proposed new hi-rises

Dear Councilman Tovo,

As a resident and owner of a condo unit (The Milago) on Rainey Street, our family is greatly concerned about what again appears to be developers seeking 'ad-hoc' approvals for drastically increasing the "FAR" allowances for future projects being proposed in our neighborhood.

Despite a FAR limit currently for the Rainey District 'on the books' that is 8:1, and then recent approvals extending it upwards to 15:1, now we understand there are THREE proposals that have already passed the Planning Department wherein FAR's are being sought for 21:1, 21:1, and even 32:1 respectively. There are myriad reasons why you, the Mayor, and the City Council should reject these increases for our compact neighborhood and just a few of those would include the following:

- FAR statistics currently in some MAJOR metropolitan areas of the country are way below these requested increases. Not even the borough of MANHATTAN has afforded developers such huge FAR's !
- The Rainey District is essentially a peninsula with very limited ingress and egress. Such density is unsustainable in such a confined neighborhood.
- Already, the District has not been afforded any mass-transit. Project Connect shows no bus or rail that covers the immediate area, either now or even when future growth is contemplated.
- Traffic in and around Rainey is already problematic between pedestrians, cars and delivery trucks. And to consider such enormous density proposals on a street such as Rainey (38' wide !) is not sustainable, nevermind reasonable.
- Rainey's lacking infrastructure necessary to support such skyscraper additions, seeing the area was originally single-family homes and no serious impact analysis has been conducted with respect to sewer, drinking water, cabling systems, schools, etc.
- Today, there are few support services available on Rainey with the exception of a small grocery/convenience store (Royal Blue). These buildings, as envisioned, further demonstrate a lack of such amenity additions and therefore MORE TRAFFIC as people continue to traverse elsewhere by car in order to even shop for groceries, no less other essentials.

The above is just a sample of the reasons these FAR requests should be rejected. Austin needs to develop a sound Master Plan that takes into consideration costs versus benefits to our residents and to Austin itself. We encourage you to place these proposals 'on hold' until such a sound

plan is developed going forward.

In advance, thank you for serious consideration to the above and for taking all this into consideration regarding your forthcoming decisions.

Richard Delaney

54 Rainey Street

Apt. 814

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